

MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK

**FORMAL SESSION
September 24, 2003**

The Board of Supervisors of Maricopa County, Arizona convened at 9:00 a.m., September 24, 2003, in the Board of Supervisors' Auditorium, 205 W. Jefferson, Phoenix, Arizona, with the following members present: Fulton Brock, Chairman, District 1; Andy Kunasek, Vice Chairman, District 3; Don Stapley, District 2, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5. Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; David Smith, County Administrative Officer; and Paul Golab, Deputy County Attorney. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

INVOCATION

Carolyn Rhymes, St. John's Baptist Church in District 5, delivered the invocation.

PLEDGE OF ALLEGIANCE

Elena Yniquez, Human Resources Liaison and President of the Hispanic Network, led the assemblage in the Pledge of Allegiance.

REWARDING IDEAS AWARDS

Veronica Piotrowski, MCDOT and Employee Merit Award Board, reported that employees have improved services and saved the County a total of \$57,843 by coming up with innovative ideas in various County departments. (C31030077) (ADM3333-002)

NAME	DEPARTMENT	SUGGESTION	TANGIBLE/INTAN- GIBLE SAVINGS	CERT. OF APPRC. AND CHECK FOR
Thomas Daley and Simon Jaramillo	Facilities Management	Chopper pumps	\$23,437/\$12,557	\$2,386 each
Terry Leatherwood & Greg McCawley	Facilities Management	Parking light structures	\$1,088/\$341	\$256 each
Robert Robinson	Environmental Services	Merged inspect'n program	\$906/\$1,613	\$281
Carolyn Krupnik	County Attorney's Office	Restitution/Victim Compensation	\$11,000/\$1,613	\$2,200
Phillip Cummings & Sheila Brott Leowe	Environmental Services	On-line Trip Reduction Survey	\$21,242	\$2,500

CODE ENFORCEMENT REVIEW – SHARON LEE KINNEY

Chairman Brock called for oral argument in the review of the Hearing Officer's Order of Judgement in Zoning Code Violation Case No. V2002-0000376, Sharon Lee Kinney. (ADM3417-19) (Clerk's Note: This case was reheard from the September 10th date due to a notification error.)

Joy Rich, Chief Regional Development Services Officer, said this is an appeal of an Order to Show Cause hearing, and the case is a long, ongoing code enforcement case on property holding junk, trash, debris, single-wide dwelling units without proper permits and with tenants living in them. She said, "We have been absolutely unsuccessful in gaining any measure of compliance in this case."

The Hearing Officer's order, issued December 19, 2002, called for a \$300 fine plus a \$30 per diem fine until compliance was reached. No progress was made and a subsequent Order to Show Cause hearing was held on July 8. The appellant did not appear, and the Hearing Officer found no reason for the

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appellant's non-compliance to that point. The fine was duly imposed. Today's hearing is the subsequent appeal of that order. Ms. Rich said their office has had neither contact with nor compliance from Ms. Kinney.

Supervisor Wilson asked if the property owner or a representative was present and no one came forward.

Motion was made by Supervisor Wilson, upheld by Supervisor Stapley, and unanimously carried (5-0) to uphold the Hearing Officer's order.

CODE ENFORCEMENT REVIEW – SCOTT AND PAULA ROWLEY

Chairman Brock called for oral argument in the review of the Hearing Officer's Order of Judgement in Zoning Code Violation Case No. 2002-00861, Scott and Paula Rowley. (ADM3417-20)

Explanation was made by County Counsel that proper notice had not been given to Scott and Paula Rowley of the Hearing Officer's decision in this matter and they were appealing that lack. He asked that the case be remanded back to the Hearing Officer so proper notice could be given.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to remand this case back to the Hearing Officer so proper notification can be made to the appellants.

PUBLIC HEARING - LIQUOR LICENSE APPLICATION

No protests having been received and no speakers coming forth at the Chairman's call, motion was made by Supervisor Wilson and seconded by Supervisor Wilcox, to recommend approval of the following liquor license applications: "a", "c", "d", and "e".

- a) Application filed by Brenda Eileen Herrington for an Original, Series 12 Liquor License: (LL6095)

Business Name: Eat My Crust Pizza & Wings
Location: 10414 North 107th Avenue, Sun City
- c) Application filed by Kim Kenneth Kwiatkowski for Transfer-of-Location of a Series 9 Liquor License: (LL6097)

Business Name: Circle K Store No. 6285
Location: 11339 West Bell Road, Surprise
Former Location: Grand Stop 4, 6707 West Glendale, Glendale
- d) Application filed by George Ira Atwell for a Person-to-Person Transfer and Transfer-of-Location of a Series 7 Liquor License from Glenn Christensen: (LL6098)

Business Name: Oakwood Golf Club
Location: 24215 South Oakwood Blvd., Sun Lakes
Former Location: Denny's, 12407 North 28th Drive, Phoenix
- e) Application filed by George Ira Atwell for an Original, Series 12 Liquor License: (LL6099)

Business Name: Oakwood Country Club
Location: 24218 South Oakwood Blvd., Sun Lakes

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Motion carried by majority vote (4-1) with Supervisors Stapley, Kunasek, Wilson and Wilcox voting "aye" and Supervisor Brock voting "no."

- b) Application filed by Margie Rae Grimh-Goffin for an Original, Series 8 Liquor License: (LL6096)
CONTINUED TO OCTOBER 8, 2003

Business Name: The Dolly Steamboat
Location: Canyon Lake, Mile Marker 211, Apache Junction

Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (5-0) to continue liquor license application "b" to the October 8th meeting.

PUBLIC HEARING –TRANSPORTATION

Chairman Brock called for a public hearing to solicit public comments on the MWBE - Minority and Women Owned Business Enterprise Program. A public hearing is required per the MWBE document prior to extension of the MWBE Program. The purpose of the public hearing is to gather input from the community prior to presentation to the Board of Supervisors for consideration of approval and extension of the MWBE Program. This program was initially approved by the Board on January 1, 1992, with subsequent revisions on July 26, 2000, and June 6, 2001. (C64040625) (ADM679)

**MINORITY AND WOMEN-OWNED BUSINESS ENTERPRISE PROGRAM
2003 revision to January 1, 1992 program**

I. INTRODUCTION

A. PURPOSE

The purpose of the Minority and Women-Owned Business Enterprise (MWBE) Program is to effectively communicate procurement and contracting opportunities through enhanced business relationships to end disparity and to increase the opportunities for minority and women-owned business enterprise participation in a competitive environment.

B. POLICY

Maricopa County will endeavor to ensure that minority and women-owned business enterprises have the opportunity to provide professional services, purchased goods, and contractual services to the County in a nondiscriminatory manner.

C. PROGRAM OBJECTIVES

1. To increase the opportunities for minority and women-owned business enterprise participation in procurement activities with Maricopa County.
2. To promote private sector utilization opportunities for minority and women-owned business enterprises to fulfill expected goals stated in County solicitations.
3. To assist in the development of entrepreneurial capabilities and skills of minority and women-owned business enterprises through educational programs.

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4. To improve Maricopa County community awareness of the MWBE Program.

II. PROGRAM ADMINISTRATION

A. SCOPE

The Maricopa County MWBE Program will include, but is not limited to, all purchasing and contracting activities in the areas of architecture and engineering, construction, professional services, concessions, goods and equipment, and services conducted by all Maricopa County departments.

B. RESPONSIBILITY AND AUTHORITY

1. The Maricopa County Board of Supervisors (Board) is responsible for the development and the implementation of the MWBE Program. The Board ensures that the opportunity for MWBE participation is available in all Maricopa County contracting and procurement activities regardless of funding source or type of work. These activities are ensured through:

Adopting a policy statement in support of the Maricopa County MWBE Program.

- b. Designating the Materials Management Department Director and the County Engineer the responsibility and authority to carry out the Board's policy statement.
2. The Materials Management Department Director is responsible for the achievement of the MWBE Program expected goals within Article 3 of the Procurement Code with the following exceptions: Departments operating under the Judicial Procurement Code - Presiding Judge; Maricopa Integrated Health Services - Chief Executive Officer of MIHS; Housing Department - Housing Department Director. Article 3 Procurement Code goals include, but are not limited to:
 - a. To the maximum extent feasible and consistent with the State of Arizona laws and the Maricopa County Procurement Code, procure materials, supplies, equipment, and Article 3 contractual services in a manner that will enhance opportunities for MWBE participation.
 - b. Ensure procurement officers analyze individual projects and procurements for potential MWBE participation and for the assignment of MWBE expected goals.
 - c. Collect MWBE contract and procurement information and provide regular reports to the MWBE Team.
 - d. Participate in workshops, seminars, and trade fairs with the MWBE Team.
 - e. Report progress of the program to the Board.
3. The County Engineer is responsible for the application of the requirements throughout the development and administration of Article 5 contract activities. Article 5 Procurement Code goals include, but are not limited to:

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- a. To the maximum extent feasible and consistent with the State of Arizona laws and the Maricopa County Procurement Code, procure professional and Article 5 contractual services in a manner and that will enhance opportunities for MWBE participation.
 - b. Ensure Article 5 procurement officers analyze individual projects and procurements for potential MWBE participation and assignment of MWBE expected goals.
 - c. Collect MWBE contract and procurement information and provide regular reports to the MWBE Team.
 - d. Participate in workshops, seminars, and trade fairs with the MWBE Team.
 - e. Report progress of the MWBE Program to the Board.
4. The MWBE Team, jointly appointed by the Director of Materials Management and the County Engineer, has the overall responsibility for implementing Maricopa County's MWBE Program. This team:
- a. Approves the procedures and activities to implement the MWBE Program.
 - b. Recommends annual contract category MWBE expected goals to the procurement officers.
 - c. Disseminates information to departments about establishing individual project expected goals for MWBEs.
 - d. Coordinates the MWBE Program with departments and provides in-house orientation and direction.
 - e. Coordinates the outsourcing of the certification of firms for eligibility requirements necessary to participate as MWBEs.
 - f. Monitors the MWBE Program for achievement of expected goals and contract compliance.
 - g. Investigates MWBE Program challenges and complaints.
 - h. Conducts and/or coordinates outreach and promotes the MWBE Program to the Maricopa County community.
5. The Maricopa County Parity Partners advise the MWBE Team. They will:
- a. Assist the Team in developing and monitoring challenging, yet attainable, expected MWBE Program goals.
 - b. Advise the Team on how best to meet expected MWBE Program goals.

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- c. Develop and implement an educational program to assist MWBEs to participate in Maricopa County procurements and contracts.
- d. Develop and implement an outreach program to inform MWBEs about opportunities for participation in the Maricopa County MWBE Program.
- 6. Procurement officers and project managers are responsible for implementing the MWBE Program at the working level and in accordance with procedures provided by the Materials Management Department Director and the County Engineer, respectively. A procurement officer and/or project manager shall evaluate each contract and/or purchase for potential MWBE participation. Based upon that evaluation, a MWBE goal shall be established, where justified, for each contract by the procurement officer. The procurement officers will forward quarterly participation reports to the MWBE Team.

C. REFERENCES

- 1. Maricopa County Procurement Code
- 2. Minority and Women-Owned Small Business Enterprise Program Procedures
- 3. Small Business Act, Sections 3 & 5 (Public Law 85-536 as amended)
Small Business Size Regulations, 13 CFR 121
City of Phoenix EOD, DBE Policy Plan
City of Phoenix Second Generation Disparity Study, April 1999
Maricopa County Minority and Women Owned Business Enterprise Program Study, 1991

D. PUBLIC DISCLOSURE

Public disclosure of files and records maintained by MWBE Team shall be handled pursuant to the Maricopa County Procurement Code, Article 1, and Arizona Revised Statutes.

E. SEVERABILITY

The provisions of the MWBE Program shall be effective in all cases unless otherwise provided for by County, State or Federal Law. The provisions of this program are separate and severable. The invalidity of any clause, sentence, paragraph, subdivision, section, or portion of this program or the invalidity of the application thereof to any person or circumstances shall not affect the validity of the remainder of this program or the validity of their application to other persons or circumstances.

F. COORDINATION WITH OTHER LAWS OR REGULATIONS

On all contracts in which other governmental agency funding is used, the requirements of the Maricopa County Procurement Code and the MWBE Program shall apply in addition to those requirements imposed by other governmental agencies unless otherwise provided for by State or Federal law.

G. DEFINITIONS

Definitions of terms used in the description and achievement of the objectives of the Maricopa County MWBE Program are submitted in Appendix 1.

All words shall have their ordinary and usual meanings except those defined in Appendix 1 which shall have, in addition, the meaning set forth. In the event of conflict, the specific definition spelled out in

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Appendix 1 and any additional expansion of the definition contained elsewhere in this policy shall prevail.

H. SUNSET CLAUSE

The use of expected utilization goals would terminate at the end of Fiscal Year 2012, unless extended for additional years by the Board. The Board may terminate the use of expected utilization goals at such time when utilization equals availability. At least 45 days prior to sunset, termination, or extension of expected goals, Maricopa County will hold public hearings to gather input from the community. In addition, statistical data demonstrating a disparity between utilization and availability of minority and women-owned business enterprises must be periodically updated and reviewed to support the need for expected utilization goals.

III. GOALS

The MWBE Program is designed to increase the opportunities for involvement of these groups in contracting and procurement activities with Maricopa County. The result of such a program will be the ultimate attainment and sustaining of a fair share of available contracting opportunities for MWBEs.

To ensure this attainment, the Board shall approve the use of contract category MWBE expected utilization goals. The MWBE Team will establish these expected goals and will annually review and revise such expected goals, if necessary. Procurement officers will establish expected goals on individual projects for all procurement and contracts where feasible.

A. ANNUAL UTILIZATION GOALS

The MWBE Team shall propose expected goals for each of the following contract categories: (1) architectural and engineering; (2) construction; (3) health and (4) purchasing and service (professional and general). These expected goals will be reviewed annually and revised, if necessary. To the extent that relevant information is available, the factors used in establishing or revising proposed expected utilization goals might include the following:

1. Total dollar amount of all contracts awarded during the past fiscal year. (Only contracts awarded to for-profit businesses will be counted.)
2. Total dollar amount of contracts or subcontracts awarded to MWBEs during the past fiscal year. (Only contract dollars awarded to for-profit businesses will be counted.)
3. Percentage of MWBE participation.
4. Dollar amount of anticipated procurements and contracts to be awarded for the next fiscal year.
5. Projection of the number and types of MWBEs available during the next fiscal year.
6. Statistical indicators, if any, showing the denial of equitable competitive opportunities to minority and women businesses.
7. The level of participation of minority and women-owned firms in past contracts awarded by the County.

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8. Other information received from departments as required by this program, specifically to include the annual report, contract forecasts, and implementation plans.
9. The level of participation of minority and women-owned firm contracts awarded in the Maricopa County geographical area, if available.
10. The level of participation recommended of minority and women-owned firms by other governmental agencies and by private agencies operating in Maricopa County, if available.
11. The number of minority and women-owned firms in Maricopa County, if available.

The number of minority and women-owned firms certified by Maricopa County and local governments, or other nationally recognized certification programs.

Any other factors deemed pertinent to the goal setting methodology by the MWBE Team in order to reasonably reflect the purpose of this program.

B. INDIVIDUAL CONTRACT EXPECTED GOALS

Individual contract and procurement expected goals would vary depending on the kind of work to be performed or purchases made and the known availability of certified MWBE firms in Maricopa County to provide such services.

C. TIMETABLES

MWBE annual expected goals will cover Maricopa County's fiscal year beginning July 1 and ending June 30.

D. MONITORING

The MWBE Team shall monitor the achievement of the overall annual and individual expected goals on a continuing basis. A review will be made on projected MWBE participation as compared to actual participation. Only those firms accepted by Maricopa County as certified minority or women-owned business enterprises shall be counted for the purpose of meeting expected goals.

E. GOOD FAITH EFFORTS

Bids or proposals that fail to meet MWBE minimum expected utilization goals might be considered non-responsive unless good faith efforts can be determined. A review process will be established to evaluate good faith efforts.

Reasonable "good faith" efforts expected could include, but are not limited to:

1. Written notification to MWBEs that participation in the contract is solicited.
2. Selection of portions of the proposed work that can be performed by MWBE firms with a provision providing that they are generally competitive.

The MWBE Team through this program will assist prime contractors/consultants in identifying possible

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qualified and interested MWBE subcontractors to meet designated MWBE expected goals. A MWBE directory will be made available, upon request, which contractors/ consultants may utilize in identifying MWBE firms. It will be the responsibility of the prime contractors/consultants to obtain the MWBE firms necessary to meet the MWBE expected goals.

Failure to contact the MWBE Team for assistance in complying with these expected goals may result in not having implemented "good faith" efforts. Contact may be in writing, by telephone, or in person. The name of the MWBE Team member spoken to should be obtained.

Failure to implement "good faith" efforts in accordance with MWBE Program to the satisfaction of Maricopa County may result in the rejection of the bid or proposal.

Appendix 1 Definitions

Cooperation The condition existing when a contractor has met and implemented the expectations of the Minority and Women-owned Business Enterprise Program.

Minority Business Enterprise (MBE) means a business concern which is independently owned and controlled by one or more persons who are citizens or lawful permanent residents of the United States, and who are members of one of the following groups:

- a. Black American includes persons having origins in any of the Black racial groups of Africa.
- b. Hispanic American includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or any Spanish culture or origin, regardless of race.
- c. Native American includes a person who is American Indian.
- d. Asian-Pacific American includes a person whose origin is from Japan, China, Taiwan, Korea, Vietnam, Laos, Cambodia, the Philippines, Samoa, Guam, the Northern Marianas, or the U. S. Trust Territories of the Pacific.
- e. Asian-Indian American includes a person whose origin is from India, Pakistan or Bangladesh.
- f. Members of groups or other individuals found to be economically and socially disadvantaged under Section 8(a) of the Small Business Act as amended (15 USC 637[a]). The individual's social disadvantage must have negatively affected his or her entry into, and/or advancement in, the business world. Their ability to compete in the free enterprise system has been impaired due to diminished capital and credit opportunities, as compared to others in the same or similar line of business and competitive market area who are not socially disadvantaged. The closer the individual can link social disadvantage to impairment of business opportunities, the stronger the case.

For those individuals who are citizens of the United States (or lawfully admitted permanent residents) and who are part of the above-mentioned minority groups, a rebuttable presumption will be made that those individuals are socially and economically disadvantaged. It may also be determined on a case-by-case basis, that individuals who are not a member of one of these groups are socially and economically disadvantaged.

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Women-owned Business Enterprise (WBE) means a business concern that is independently owned and controlled by one or more women.

Owned and controlled means a business

- a. Which is at least 51 percent owned and controlled by one or more minorities, women, or socially and economically disadvantaged individuals, in the case of a public-owned business, at least 51 percent of the stock of which is owned by one or more minorities, women, or socially and economically disadvantaged individuals, and
- b. Whose management and daily business operations are controlled by one or more such individuals who have the authority to legally obligate and represent the business.

Small Business Enterprise means a small business concern defined as \$250 thousand net worth of the owner.

Expected Goals will vary depending on the kind of work to be performed or purchases made and the known availability of certified MWBE firms in Maricopa County to provide such services.

Disadvantaged Business Enterprise (DBE) means a statutory program to recipients of USDOT financial assistance intended to provide contracting opportunities for small business concerns (51% owned and controlled) of presumed socially and economically disadvantaged individuals. The owner(s) has a personal net worth of less than \$750,000.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the extension of the MWBE program for 10 years with a review option.

FY 2004 AUDITS VIA TRANSFER FROM GENERAL GOVERNMENT CONTINGENCY - WITHDRAWN

Item: Fund the following FY 2004 audits via transfer from General Government Contingency as described below:

- MIHS Business Office: \$51,214
- Materials Management Department: \$49,542

Per ARS §42-17106 (B), transfer expenditure authority from FY 2003-2004 contingency funds in the amount of \$49,542 from General Government General Fund General Contingency (Department 470/Fund 100) to the Internal Audit Department (Department 230/Fund 100). Also transfer expenditure authority from FY 2003-2004 contingency funds in the amount of \$51,214 from General Government General Fund General Contingency (Department 470/Fund 100) to General Government General Fund Consultants/Internal Audit (Department 470/Fund 100). These adjustments will result in a Countywide net impact of zero. The areas specified for audit are listed on the Board-approved FY 2004 audit plan. (The Office of Management and Budget (OMB) does not recommend approval of this request.) (Continued from meeting of September 10, 2003.) (C23040020) (ADM2600)

The Clerk announced that this item was withdrawn pending final completion.

CALL FOR SPECIAL ELECTION FOR NOVEMBER 4, 2003 – FORMING SPECIAL HEALTH CARE DISTRICT

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Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to call for a special election on November 4, 2003, to submit to the voters of Maricopa County the question of forming a special health care district and levy of a secondary property tax as authorized by law. Also, in accordance with ARS §42-17106B, approve the transfer of not-to-exceed \$3 million in expenditure appropriation from Appropriated Fund Balance (480) General Fund (Fund 100) General Contingency (4811) to a new program in Appropriated Fund Balance (480) General Fund (Fund 100) Other Programs (4812) entitled "Special Health Care District Election" to fund the cost of conducting the election. The polls will be open from 6:00 a.m. until 7:00 p.m. on November 4, 2003. Polling places for this election, approved by the Board on August 13, 2003, are available from the Maricopa County Recorder/Elections at (602) 506-1511 and www.recorder.maricopa.gov. The last day to register to vote for the election is October 6, 2003. Early balloting begins on October 2, 2003. Early voting materials may be obtained by contacting the Maricopa County Recorder/Elections Department, 111 South Third Avenue, Phoenix, AZ 85002, 602-506-1511. For more information, contact the Maricopa County Department of Elections (602-506-1511) or the County Recorder's website: www.recorder.maricopa.gov. (C21040047) (F23121)

Chairman Brock asked Karen Osborne, Elections Director, about offsetting the cost of this special election.

Ms. Osborne responded that the election was being held at the best possible time as recent legislation has provided an ability to partner with any of eleven other entities in a money-saving partnership. This savings is being taken advantage of at the November 4, 2003, election on the question of forming a Health Care District.

RETIREMENT AND PERMANENT TRANSFER OF CUSTODY OF ONE K-9 UNIT DOG

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the retirement and permanent transfer of custody of one K-9 Unit dog, "Gunner" No. K27, who is no longer useful to the County Sheriff's Office, to his respective Sheriff's Office handler. (C6004024M) (ADM3916)

TRANSFER OF FUNDS

Per ARS §42-17106B, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the funds transfer of \$3,624,964 from the FY 2003-2004 Detention Fund Appropriated Fund Balance Reserved Contingency for "Sheriff: Jail Surveillance System" to FY 2003-2004 Appropriated Fund Balance Other Detention Fund Programs new line item, "Sheriff: Jail Surveillance System." Also direct the Office of Management and Budget to release \$1,206,676 currently ear-marked in FY 2003-2004 Detention Appropriated Fund Balance Reserved Contingency for "Sheriff: Jail Surveillance System" to FY 2003-2004 Detention Appropriated Fund Balance General Contingency for reallocation by the Board to other Detention Appropriated Fund Balance requests. (C5004025M) (ADM3900-003)

INCREASE TO LIMIT ON CO-PAYMENT REGARDING INMATE CHARGES

Per ARS §31-161, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve an increase to the limit on a co-payment amount that the Maricopa County Sheriff's Office may charge an inmate not more than \$3.00 to not more than \$10.00 for each inmate-initiated health care service and each visit to a physician that is referred by a physician, a

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physician assistant or nurse practitioner. If an inmate's personal account has a balance of less than \$10.00 for 30 consecutive days, the Sheriff shall not charge a co-payment. (C50040267) (ADM3900)

TRANSFER EXPENDITURE AUTHORITY

Per ARS §42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to transfer expenditure authority from FY 2003-2004 contingency funds in the amount of \$7,258,227 (annualized impact is \$9,234,627) from General Government (470) Detention Fund (Fund 255) Reserved Contingency/New Facility Operating Costs to the Sheriff's Office (500) Detention Fund (Fund 255). Approval of this action will allow the Sheriff's Office to hire 200 detention officers, sergeants and lieutenants to staff the Maricopa County Jails and 10 administrative staff for the recruitment and hiring of the new staff. (C50040278) (ADM3900-001)

GRANT FUNDING FROM BUREAU OF JUSTICE ASSISTANCE, STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve acceptance of \$1,204,587 in funding from the Bureau of Justice Assistance, State Criminal Alien Assistance Program (SCAAP) to be deposited into the Detention Fund, Appropriated Fund Balance. Also approve an increase to the FY 2003-2004 revenue and expenditure authority of Appropriated Fund Balance (480) Detention Fund (255) Reserved Contingency (4811) by establishing a new line item called, "Reserved Contingency, Jail Projects" in the amount \$1,204,587. The purpose of this grant program is to reimburse state and local government agencies a portion of the costs to incarcerate undocumented criminal aliens. The inmate costs calculation only includes staff whose primary responsibility is the care, custody, or supervision of persons detained (pre-trial detention) and incarcerated (convicted and sentenced) inmates. Since no other staff members are eligible, indirect costs are not recoverable. (C50045093)

AMENDMENT TO LEASE WITH KING FAMILY TRUST AND B. GALE WILSON AND CAROLU WILSON PARTNERSHIP

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve Amendment No. 4 to full service Lease No. L7171 with King Family Trust and B. Gale Wilson and Carolu Wilson Partnership, Lessor, for 11,454 square feet of office space used for the North Mesa Justice Court located at 1837 South Mesa Drive, Mesa. The amendment will extend the lease term for 36-months commencing on September 1, 2003, at the previously established effective rate as of September 1, 2003 (\$18.52 per square foot per year). The amendment further provides for the North Mesa Court to move to substitute space previously vacated by the South Mesa Court for a net space reduction of 2,143 square feet and corresponding reduction in annual cost. The new annual cost will be \$172,439.72, plus rental tax. It also authorizes payment to the lessor for minor tenant improvements requested by Maricopa County. The lease may be terminated without penalty after the first 24-months of the renewal term with 120-days notice. (C2497004405) (C24040014)

TRANSFER EXPENDITURE AUTHORITY

Per ARS §42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to transfer expenditure authority from FY 2003-2004 contingency funds in the amount of \$171,090 (annualized impact is \$236,860) from General Government (470) Detention Fund (Fund 255) Reserved Contingency/New Facility Operating Costs to the Juvenile Probation (270) Detention Fund (Fund 255). Approval of this action will allow the Department to create, recruit, hire and

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train Administrative staff for the increased support required by the two new Detention Centers, which are due to open in FY 2004. Further, this action will allow the purchase of phased-in computer hardware and software for the Southeast Facility, which is scheduled to open the beginning of October 2003. (C27040078) (ADM1400)

ADDITIONS TO THE FLEET OF TWO NEW PACE AMERICAN TRAILERS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve additions to the fleet of two new Pace American Trailers for the J-CORPS Work Program for the Juvenile Probation Department. These trailers were purchased by grant funds under an existing county contract, according to Judicial Procurement Code. The first trailer is a 6½ x 10 feet, Workspport Open Trailer at an approximate cost of \$1,399, including tax. The second trailer is a 6 x 12 feet, Workspport Side Drive RR Ramp at a cost of \$2,749, including tax. This action is needed in order to secure title and registration for the new J-CORPS trailers. (C2704008M) (ADM3104)

PRO TEMPORE JUSTICE OF THE PEACE APPOINTMENT

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve the appointment of attorney Paul D. Julien as a Pro Tempore Justice of the Peace for the period from September 15, 2003, through December 31, 2003, to serve in various programs in the Justice Courts to reduce trial delay. (C38040077) (ADM1001)

REJECT CLAIM DEMANDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to reject claim demands (July 2003) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$350,522.82 and ARS §11-622 \$-0-) (C39040027) (ADM1804)

**Monthly Summary Report
July 2003**

Vendor	Amb., Doctors, Hosp. Ars 11-629	Over Six Months Ars 11-622
Anaya, Carlos Md Pc	201.96	0.00
Arizona Pulmonary Specialists	285.00	0.00
Arrow Surgical Associates	7,300.00	0.00
Cardiac & Thoracic Surgery	3,550.00	0.00
City Of Phoenix Ambulance	1,586.23	0.00
Clinical Diagnostic Radiology	90.00	0.00
Desert Sam Med Ctr	49,896.10	0.00
Desert Samaritan Med Ctr	468.55	0.00
Emergency Assoc Of Arizona	840.00	0.00
Good Samaritan Reg Med Ctr	41,690.55	0.00
Lundell, Mark Md	3,350.00	0.00
Maricopa Health Systems	152,339.51	0.00
Medpro	48,412.60	0.00
Mesa Family Physicians	122.00	0.00

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Orthopaedic Trauma Alliance	1,639.00	0.00
Payne, Dale N	1,030.00	0.00
Physician Trauma Service	597.50	0.00
Professional Medical Transport	4,789.27	0.00
Rural Metro Ambulance	6,126.66	0.00
Sjh Trauma Billing	249.00	0.00
Southwest Ambulance	5,183.47	0.00
St Josephs Hosp Arizona	17,448.84	0.00
St Luke's Medical Center	2,745.58	0.00
Tep @ Phoenix St Luke's	180.00	0.00
Valley Radiation Oncology	401.00	0.00
Grand Totals:	350,522.82	0.00
Restitution	0.00	
Totals Denials:	350,522.82	

REJECT CLAIM DEMANDS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to reject claim demands (August 2003) for emergency medical services from private medical providers to patients who do not meet the requirements of Arizona Revised Statutes or Maricopa County Policies and are, therefore, not the responsibility of Maricopa County pursuant to A.R.S. §11-629 (not a proper charge against the County) and A.R.S §11-622 (claims not having been filed within six-months after the last item of the account accrues). (ARS §11-629 \$429,490.87 and ARS §11-622 \$-0-) (C39040037) (ADM1804)

**MONTHLY SUMMARY REPORT
August 2003**

VENDOR	AMB., DOCTORS, HOSP. ARS 11-629	OVER SIX MONTHS ARS 11-622
Associated Radiologists, Ltd	788.00	0.00
Az Center For Chest Disease	160.00	0.00
City Of Phoenix Ambulance	4,032.49	0.00
Clinical Diagnostic Radiology	110.00	0.00
Eller, Evan B. Md Plc	250.00	0.00
Emergency Assoc Of Arizona	267.00	0.00
Good Samaritan Reg Med Ctr	74,683.45	0.00
Hospitalists Of Arizona	730.00	0.00
Maricopa Health Systems	149,876.85	0.00
Medpro	40,184.70	0.00
Meeks, Robert J. Md	675.00	0.00
Neurological Surgeons, Pc	991.00	0.00
Oasis Anesthesia	2,340.00	0.00
Phoenix Memorial Hospital	7,054.50	0.00
Professional Diagnostix	46.00	0.00
Professional Medical Transport	25,096.97	0.00
Pueblo Family Physicians, Ltd	140.00	0.00
Rural Metro Ambulance	6,892.70	0.00
Southwest Ambulance	25,029.55	0.00
Southwest Neuro-Imaging	135.00	0.00
St Josephs Hosp Arizona	27,906.02	0.00

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St Luke's Medical Center	39,824.84	0.00
Thunderbird Sam Med Ctr	20,200.80	0.00
Valley Anesth Consultants Ltd	1,350.00	0.00
Valley Radiation Oncology	401.00	0.00
Weiss, Michael A. Md	325.00	0.00
Grand Totals:	429,490.87	0.00
Restitution	0.00	
Totals Denials:	429,490.87	

PERSONNEL AGENDA

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Maricopa County (Exhibit A) and Judicial Branch (Exhibit B) Personnel Agendas. (List on file in the Clerk of the Board's Office.)

RETIREE HEALTH INSURANCE PROGRAM TO RETIREE DENTAL COVERAGE

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to enhance the retiree health insurance program, by approving the self-insured retiree dental rates effective Plan Year 2004 (January 1, 2004, through December 31, 2004). Effective January 1, 2004, offer retiree dental through United Concordia. The dental benefits are the same as active employees, and there is no Maricopa County employer contribution. The monthly rates by retiree coverage level are listed below. Utilization will be evaluated, and monthly retiree rates will be adjusted each Plan Year to ensure claim costs do not exceed premiums. (C35040080) (ADM3317)

- Retiree Only - \$44.56
- Retiree & Spouse - \$98.27
- Retiree & Child(ren) - \$106.24
- Retiree & Family - \$136.59

VISION BENEFIT THROUGH AVESIS TO STAND ALONE VISION COVERAGE

Effective January 1, 2004, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve offering a stand alone vision benefit through AVESIS to employees who waive the medical benefit for Plan Year 2004 (January 1, 2004, through December 31, 2004). Effective January 1, 2004, offer stand-alone vision through AVESIS to employees who waive the medical benefit for Plan Year 2004 (January 1, 2004 through December 31, 2004). The vision benefits are the same as active employees, and there is no Maricopa County employer contribution. The monthly rates are listed below for this fully insured vision benefit. (C35040090) (ADM3317)

- Employee Only - \$6.83
- Employee & Spouse - \$12.92
- Employee & Child(ren) - \$14.08
- Employee & Family - \$18.11

SHORT-TERM DISABILITY BENEFIT TO SHORT-TERM DISABILITY PLAN DESIGN CHANGES AND RATES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the Short-Term Disability benefit design changes and the Short-Term Disability rates for Plan

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Year 2004 (January 1, 2004, through December 31, 2004). To help restore the financial stability and viability of this employee paid program, the following benefit design changes and monthly rates will be implemented in Plan Year 2004 (January 1, 2004, through December 31, 2004):

- Plan Year 2004 Design Changes:
 - Reinstate the 40% benefit option:
 - Active employees can only enroll, disenroll or change their coverage level during the Maricopa County defined Open Enrollment Period regardless of qualified family status changes:
 - Active employees enrolled in this program, will need to be disabled 21 days (elimination period) before the disability benefit will be payable (was 14 days);
 - 80% Return to Work Incentive (was 100%); and
 - Amend the United Behavioral Health contract to provide case management of behavioral health disabilities.
- Plan Year 2004 Monthly Rates:
 - The rates below, based on a detailed utilization analysis, illustrate the monthly employee cost. In Plan Year 2004, rates will be based on a 24-week deduction with two premium holidays.
 - 40% Benefit Option - \$0.0035
 - 50% Benefit Option - \$0.0050
 - 60% Benefit Option - \$0.0065
 - 70% Benefit Option - \$0.0080

Utilization will be evaluated, and if needed, the short-term disability rates will be adjusted each Plan Year to ensure claim costs do not exceed the employee paid premiums. (C35040100) (ADM3324)

PLAN YEAR 2004 MEDICAL BENEFITS

For Plan Year 2004 (January 1, 2004, through December 31, 2004), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following: (See attachment as back-up) (C35040110) (ADM3324)

- a) the benefit plan designs for the health insurance program as defined by the CIGNA, Walgreens Health Initiatives (WHI), United Behavioral Health (UBH), MIHS Health Plan and contract renewal;
- b) 2004 Employee Benefits Rates as described (employee [including both active employees, Pre-Medicare retiree, Post-Medicare retiree, and Medicare Plus Choice retiree] and employer contribution) for Plan Year 2004 (January 1, 2004 through December 31, 2004);
- c) An increase in the medical waiver payment for active employees who can prove they have group health insurance coverage under another family member's group health insurance program; and
- d) In January 2004, premiums for the health insurance program will be deducted from 24 of the 26 paychecks.

Chairman Brock and Supervisor Wilcox commended Mike Schaiberger and the Benefits team for their diligence and hard work in negotiating acceptable benefit packages for the County once again this year. Chairman Brock remarked on the Board's concern for the rising costs of health and dental coverage and

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said the County has made tremendous efforts to absorb those rising costs without having to pass them along to employees.

CRIME LEAVE POLICY (HR 2420)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the Crime Leave Policy (HR2420), which is established as a formal procedure for an employee, who is the victim of a crime, so that the employee may leave work in order to exercise the employee's rights to be present at the court proceedings. (C35040126) (ADM3321-002)

MARKET ADJUSTMENTS FOR AND ADMINISTRATIVE TRANSFER OF PARK POLICE OFFICE DIVISION -- CONTINUED

Item: Approve the following actions regarding the Parks & Recreation Department Park Police Division:

- a) Market adjustments for Park Police Officers totaling \$172,914 in all funds annualized to be effective September 29, 2003; (ADM3308) (ADM3246)
- b) The administrative transfer of the Parks & Recreation Department Park Police division from the Parks & Recreation Department to the Maricopa County Sheriff's Office as the Mountain Park Patrol, including the transfer of 17 FTE positions (11 FTE funded by the General Fund, 3 FTE funded by the Lake Fund and 3 FTE funded by the Spur Cross Fund), related vehicles, radios, computer equipment and weapons as outlined in the interdepartmental agreement (Attachment A); (ADM3900-001)
- c) In accordance with ARS §42-17106B, approve expenditure appropriation transfers from the FY 2003-2004 Parks & Recreation Department to the Sheriff's office (Agency 500) General Fund expenditure budget in the amount of \$415,422, including \$245,189 in interdepartmental personal fund credits for positions funded by Lake Fund (240) and Spur Cross Fund (225) as detailed in Attachment B, effective September 29, 2003; (ADM3200) (ADM3900)
- d) In accordance with ARS §42-17106B, approve expenditure appropriation transfer from the FY 2003-04 General Government (470) General Fund (Fund 100) Contingency (4711) to the Sheriff's Office (500) General Fund (Fund 100) budget in the amount of \$120,880 as detailed in Attachment B, to implement the market adjustments outlined in A above. (ADM3900)

The requested action will result in a consolidation of law enforcement services within the county. The FY 2004-2005 Parks & Recreation Department budget target and the FY 2004-2005 Sheriff's Office budget target will be restated/right-sized for the full-year impact of the FY 2003-2004 funds being transferred (General Fund, Spur Cross Fund and Lake Pleasant Fund). (C30040028) (ADM3200-003) (ADM3246)

The Clerk announced that this item is continued to the October 8, 2003, meeting.

FUND TRANSFERS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve regular and routine fund transfers from the operating funds to clearing funds including payroll, work authorizations, journal entries, allocations, loans, and paid claims. Said claims having been recorded on microfiche retained in the Department of Finance in accordance with the Arizona State

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Department of Library Archives and Public Records retention schedule, and incorporated herein by this reference.

TRANSFER OF EXPENDITURE AUTHORITY

In accordance with ARS §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the transfer of \$95,000 in expenditure appropriation from General Government (470) General Fund (Fund 100) General Contingency (4711) to a new activity in General Government (470) General Fund (Fund 100) Consultants (4724) entitled "Real Estate Evaluation, Acquisition and Divestiture" to fund payment of certain real estate services that are required by Maricopa County as part of the evaluation, acquisition and divestiture of real property and facilities-related leasing. These adjustments will result in a countywide net impact of zero. (C18040118) (ADM810) (ADM1800)

Roger Wendt, representing Manufactured Housing, was present in support of this item.

STATUTORY AND ADMINISTRATIVE CHANGES TO ARTICLE 5 OF THE MARICOPA COUNTY PROCUREMENT CODE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the statutory and administrative changes to Article 5 of the Maricopa County Procurement Code. The statutory changes were enacted into law are contained in Senate Bill 1236 during the last legislative session. The administrative changes correct inconsistencies and clarify specific parts of the Procurement Code. (C73040025) (ADM3001)

SOLICITATION SERIALS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve the following solicitation serial items. The action on the following items is subject to County Counsel's review and approval of the respective contracts and subsequent execution of contracts. (ADM3005)

Solicitation Serials:

- 03038-C FUEL FOR ABOVE GROUND TANKS** (\$120,000 est/two (2) years, w/three one year renewal options)
Award to allow the Equipment Services Department to purchase Fuel for above ground tanks.
- Brown Evans Distributing Company
- 03043-C MODULAR PANEL SYSTEMS (CLONE TYPE)** (\$3,000,000 est/three (3) years w/two one year renewal options)
Award for a three-year qualifying bid for modular panel systems (clone type) as requested by the Facilities Management Department.
- Corporate Interior Systems
 - DMI (Design Merchants Inc.)
 - Interiors Inc.
 - Montage
 - Transact Commercial Furnishing

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**03044-S
CONTINUED
to 10-8-03**

MITIGATION SERVICES SPECIALIST(S) (350,000 est/two (2) years w/four one year renewal options)

Award of a two year (2) contract for Mitigation Services Specialist(s) who will investigate, evaluate and present psychosocial and other mitigation evidence for indigent representation.

- Alan L. Ellis
- Christine Lawrence
- Connie A. Curtin
- David K. Wilcox
- Kerri Logan
- Marla V. Ruiz
- Michelle McCloskey
- Nora Shaw Investigations
- Randall Walker
- Tyrone Mayberry

03055-ROQ

JUVENILE DEPENDENCY/SEVERANCE ATTORNEY SERVICES (\$270,000 est/eleven (11) months w/five one-year renewal options)

Award of 11-month contract that provides juvenile dependency/severance attorney services and attorney representation to indigent individuals at the request of the Office of Contract Counsel and as required by Arizona State Statutes.

- Law Office of T.H. Guerin Jr.
- Lucy M. Keough
- Leslie J. Klass
- Diane Leos
- Christine Ettig Mulleneaux PLLC
- Law Office of Timothy V. Nelson LLC
- Law Office of Margo A. Shorr
- Michael D. Strauber Attorney at Law
- Michael T. Westervelt
- Anne M. Williams Attorney at Law

03078-S

PRIVATE INVESTIGATION SERVICES-OCC II (\$1,000,000 est/two (2) years w/four one year renewal options)

Award of two-year contract for private investigation services utilized by the Office of Contract Counsel in the defense of indigent clients.

- Bachtel & Associates LLC
- Ballard Bullion Investigation and Consulting
- Craig and Associates
- Outback Adjusting and Investigative Services LLC
- A. Charles Hanratty Investigations
- Benny M. Lucero
- Stella A. Salinas

03095-S

BLUEPRINTING SERVICES (\$195,000 est/three (3) years w/three one-year renewal options)

Pricing agreement for blueprinting services for various county agencies.

- Techniprint Company Inc.

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- 03117-S MOVING SERVICES** (\$210,000 est/three (3) years w/three one-year renewal options)
Pricing agreement for moving services for various county agencies on an as needed basis.
- ABC Moving Inc.

- 03120-C TRAFFIC SIGNAL POLES, STANDARDS AND BRACKETS** (\$300,000 est/three (3) years w/two one year renewal options)
Award for pricing agreement to purchase traffic poles, standards and brackets for use by the Department of Transportation.
- Ameron International Corporation
 - Valmont Industries

Contract Extensions:

Extension of the following contract(s): (Extensions are recommended with the concurrence of the using agency(s) and the vendor(s), upon satisfactory contract performance and, when appropriate, after a market survey is performed).

Until December 31, 2004

- 01178-RFP EMPLOYEE HEALTH BENEFITS PLAN** (\$66,000,000 est/one (1) year)
To provide medical insurance and health care benefits to county employees. This is a multiple award to the following:
- Cigna Healthcare of Arizona (General medical services, fully insured)
 - Walgreen's Health Initiatives (Pharmacy services, self-insured).
 - United Behavioral Health (Behavioral health care services).

Until September 30, 2005

- 00085-RFP LIBRARY MATERIALS AND SERVICES** (\$4,000,000 est/two (2) years)
Two-year extension of pricing agreement for library materials and services as requested by the Library District.
- Brodart Co.

SETTLEMENT OF KOSS v. MARICOPA COUNTY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve settlement of Koss v. Maricopa County, CV 01-018605, in the amount of \$500,000. (Discussed in Executive Session on September 22, 2003.) (C75040041)

WAIVER TO ANNUAL LICENSE FEES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a waiver to the annual license fees for all guide dogs, signal dogs, or other dogs individually trained to provide assistance to an individual with a disability effective upon Board approval. (C79040217) (ADM2305)

KENNEL PERMITS

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the issuance of these kennel permits for the term of September 24, 2003, through September 23, 2004. The cost of each kennel permit is \$90. (C7904022C) (ADM2304)

- a) Sherry Tongson, dba Tongson Kennels, 1115 West Latham Street, Phoenix, AZ 85007
- b) John Burns, dba Castle Breeding & Kennels, 25311 South Lindsay Road, Chandler, AZ 85249

KENNEL PERMIT RENEWALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following kennel permit renewals for the term of September 24, 2003, through September 23, 2004. The permit renewal is recommended by Animal Care & Control with no complaints received and remedied. The cost of each kennel permit is \$90. (C7904023C) (ADM2304)

- a) Ruth Cherie Williams, dba RC Kennels, 20546 West Narramore Road, Buckeye, AZ 85326, Permit No. 372
- b) Oscar Henderson, dba Henderson Greyhound Farm, 1197 South 4th Street, Avondale, AZ 85323, Permit No. 043
- c) Robert & Carrie Jones, dba Ruff Kennels, 31810 North 227th Avenue, Wittmann, AZ 85361, Permit No. 369
- d) Jean Fornal, dba Profile Standard Poodles, 6211 North 126th Avenue, Litchfield Park, AZ 85340, Permit No. 157

KENNEL PERMIT RENEWALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the kennel permit renewal for Vickie Hempen, dba Vicki Hempen Kennels, 2601 East Louise Drive, Phoenix, AZ 85032, Permit No. 345 for the term of September 24, 2003 through September 23, 2004. The permit renewal is recommended by Animal Care & Control with no complaints received and remedied. The cost of the kennel permit is \$90, plus a return trip fee of \$50; totaling \$140. (C7904025C) (ADM2304)

KENNEL PERMIT RENEWALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following kennel permit renewals for the term of September 24, 2003, through September 23, 2004. The permit renewal is recommended by Animal Care & Control with no complaints received and remedied. The cost of each kennel permit is \$90. (C7904026C) (ADM2304)

- a) Sandra Holtzman, dba Holtzman Kennels, 3043 East Grovers Avenue, Phoenix, AZ 85032, Permit No. 375
- b) Lue Jeane Brooks, dba Springbrook Kennels, 36614 North 23rd Street, Phoenix, AZ 85086, Permit No. 294
- c) Janet Sproles, dba Tortilla Flat Kennels, 25210 North 17th Avenue, Phoenix, AZ 85027, Permit No. 305

AGREEMENT WITH CARON LORBER, dba GERMAN SHEPHERD RESCUE

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an agreement between Caron Lorber, dba German Shepherd Rescue, 1204 East Windsor Avenue, Phoenix, AZ 85006 and Maricopa County to allow German Shepherd Rescue to rescue animals eligible for the New Hope Program. The loss of revenue of \$1,700 is based on the license fee that would be generated through the New Hope program without this agreement. The term of the agreement is from September 24, 2003, through September 23, 2006. (C79040241)

AMENDMENT TO AFFILIATION AGREEMENT WITH ARGOSY UNIVERSITY/PHOENIX

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 2 to the Affiliation Agreement between Correctional Health Services (Department 260) and Argosy University/Phoenix to continue maintaining and operating a clinical externship program for Graduate Psychology in the area of Correctional Health. This amendment will extend the affiliation agreement for a period of one year from November 1, 2003, through October 31, 2004. There are two optional one-year renewals. There is no financial impact associated with this affiliation agreement amendment. (C2602005002)

TRANSFER EXPENDITURE AUTHORITY

In accordance with ARS §42-17106, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to transfer expenditure authority from FY 2003-2004 contingency funds in the amount of \$937,320 (annualized impact is \$1,419,536) from General Government (470) Detention Fund (Fund 255) Reserved Contingency/New Facility Operating Costs to the Correctional Health (260) Detention Fund (Fund 255). Approval of this action will allow the department to hire 20 operational staff for Correctional Health Services and 9 administrative staff for the recruitment and hiring of new staff. (C26040050) (ADM2131)

CRITICAL MARKET SALARY INCREASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve critical market salary increases (\$16.06 per hour to \$16.86 per hour) for three Environmental Health Specialists in the Environmental Services Department, retroactive to May 26, 2003. Approval of this item will allow the department to award a salary increases for individuals who have passed registration exams. (C88040018) (ADM3308-001)

DELEGATION AGREEMENT WITH STATE OF ARIZONA DEPARTMENT OF ENVIRONMENTAL QUALITY

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Delegation Agreement No. 00-0026 between the State of Arizona Department of Environmental Quality (ADEQ) and the Maricopa County Environmental Services Department. The agreement delegates authority to perform the functions and duties for Wastewater and Drinking Water Delegations, and Solid Waste Delegations. The effective date of this agreement is the date of filing of the agreement with the Secretary of State. The agreement will remain in effect through June 30, 2007. (C88040022)

DELEGATION AGREEMENT WITH ARIZONA DEPARTMENT OF HEALTH SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a delegation agreement between the Arizona Department of Health Services (ADHS) and

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Maricopa County Environmental Services Department (MCESD). The agreement delegates sanitation inspection authority to Maricopa County through June 30, 2010. This new agreement shall be effective 30-days after written notice of ADHS's final decision or the date the agreement has been signed by both parties, whichever comes later and will run through June 30, 2010. (C88040062)

U.S. ENVIRONMENTAL PROTECTION AGENCY COOPERATIVE AGREEMENT AND GRANT FUNDING

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the U.S. Environmental Protection Agency (EPA) Cooperative Agreement and accept grant funding not-to-exceed \$1,004,000. The duration of the grant-funding period will be retroactive to January 17, 2003, through July 31, 2005. This EPA grant enhances the existing monitoring activities of the air quality program. Also, approve an appropriation adjustment to Environmental Services Department Grant Fund (Department 880/Fund 505), to increase revenues and expenditures by \$335,140 due to net changes in grant revenues from the U.S. Environmental Protection Agency. Grant revenues are not local revenues for the purpose of the constitutional expenditure limitation, therefore, expenditures of this fund are not prohibited by the budget law. This budget adjustment does not alter the budget constraining the expenditures of local revenues duly adopted by the Board pursuant to ARS §42-17105. (C88040083)

CORRECTION TO CRITICAL MARKET SALARY INCREASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve correction to critical market salary increases for Environmental Engineering Specialists Robert Arpino and Amy Young in the Environmental Services Department. The increases are retroactively effective June 23, 2003. On July 2, 2003, the Board approved a critical market salary increase for Robert Arpino from \$21.97 to \$22.50 -- a 2.5% increase. Mr. Arpino should have gotten a 5% increase from \$21.97 to \$23.07. On July 2, 2003, the Board approved a critical market salary increase for Amy Young from \$21.70 to \$22.50 -- a 3.7% increase. Ms. Young should have gotten a 5% increase from \$21.70 to \$22.79. (C88040118) (ADM3308-001)

TRANSFER OF EXPENDITURE AUTHORITY AND EXPENDITURE APPROPRIATION ADJUSTMENT

Per ARS §42-17106(b), motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the transfer of expenditure authority between the General Government Grants Fund (Department 470, Fund 249) and Environmental Services Department (880) Environmental Health Fund (506). This action will require an expenditure appropriation adjustment decreasing the FY 2003-2004 General Government Grants Fund (Department 470, Fund 249) by \$639,168 and increasing the FY 2003-2004 Environmental Services Department (880) Environmental Health Fund (Fund 506) by \$639,168. This action will also require a revenue appropriation adjustment decreasing the FY 2003-2004 General Government Grants Fund (Department 470, Fund 249) by \$639,168 and increasing the FY 2003-2004 Environmental Services Department (880) Environmental Health Fund (Fund 506) by \$639,168. These adjustments will result in a countywide net impact of zero. Approval of this action will allow the department to improve its timeliness of performing plan reviews and issuing associated permits/certificates per the attached RIR. Although the department's need for the positions requested in the RIR is clear, the Office of Management and Budget (OMB) has suggested improvements to the department for its current strategic plan. Therefore, the department is directed to work with OMB to revise their strategic plan to better reflect the Managing for Results Policy and Guidelines. (C88040138) (ADM2350-001)

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AMENDMENT TO CONTRACT WITH FOUNDATION FOR SENIOR LIVING HOUSING PROGRAMS, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 8 to the current contract with the Foundation for Senior Living Housing Programs, Inc. (FSAL) increasing current year total funding for the Low-Income Home Weatherization Program by \$22,898. The total contract to FSAL will increase from \$517,346 to \$540,244. The increase in funding resulted from an increase of federal Low-Income Home Energy Assistance Program (LIHEAP) funding passed through to Maricopa County for the weatherization program. FSAL is currently in the final year of a three-year contract to provide home weatherization repairs for low-income Maricopa County households. The program gives priority to elderly, disabled and families with young children. An additional 20 households are anticipated to be assisted based on receipt of these new funds. This amendment is effective upon approval of the Board and the contract term of July 1, 2003, to June 30, 2004, remains unchanged. (C2202103108)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH MARICOPA COMMUNITY COLLEGE DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve Amendment No. 2 to the Intergovernmental Agreement (IGA) between the Maricopa Community College District and the Maricopa County Human Services Department. The amendment is necessary to accommodate the increased number of Head Start staff requiring educational services in order to meet compliance with the White House Initiatives. The amendment increases the total amount of the IGA from \$50,000 to \$90,000 and adds Mesa Community College to the list of Maricopa Community College District sites. The term of this agreement is July 1, 2003, through June 30, 2004. This agreement does not include any county general funds. (C2203066202)

LEASE AGREEMENT WITH CITY OF CHANDLER

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to retroactively approve Lease Agreement No. C6552 with the City of Chandler, Lessor, for the continued use of a Head Start classroom located at 130 North Hamilton Street, Chandler, AZ. This lease will extend the full service lease from July 1, 2003, through June 30, 2004, at an annual cost of \$3,600, payable in quarterly amounts of \$900. This lease contains an option to renew for one additional year at the current rental rate. The lease has a 90-day cancellation clause. (C22040904)

CONTRACTS FOR SERVICES TO PROVIDE WORKFORCE INVESTMENT ACT YOUTH SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following contracts for services to provide Workforce Investment Act (WIA) youth services and activities for youths who are experiencing circumstances in their lives that increase the likelihood of disengagement or disconnection from school and the labor market. The contracts are effective on October 1, 2003, and will terminate on June 30, 2004. Funding for the contracts is federal WIA funding provided to Maricopa County by the Arizona Department of Economic Security. These contracts do not contain any County general funds.

- a) Goodwill Industries of Central Arizona, Inc., to provide for 110 east valley, in-school youths, ages 14-21, in the amount of \$225,000. (C22040951)

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- b) Arizona Call-A-Teen, Inc., to provide for 140 west valley, in-school youths, ages 14-21, in the amount of \$275,000. (C22040961)
- c) Goodwill Industries of Central Arizona, Inc., to provide activities for 83 east valley, out-of-school youths, ages 16-21, in the amount of \$175,000. (C22040971)
- d) Arizona Call-A-Teen, Inc., to provide for 90 west valley, out-of-school youths, ages 16-21, in the amount of \$200,000. (C22040981)

CONTRACT WITH ARIZONA COALITION TO END HOMELESSNESS (ACEH)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the contract between the Maricopa County Human Services Department (MCHSD) and the Arizona Coalition to End Homelessness (ACEH) to provide \$5,000 in funding in support of the 10th Annual Conference on Homelessness. The term of the contract will be from when the contract is approved by the Board through June 30, 2004. No county general funds are being used in this contract. (C22041021)

AMENDMENTS TO CONTRACTS FOR WELL WOMEN HEALTH CHECK SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following Amendment No. 1 to contracts to provide Well Women Health Check services to uninsured or underinsured women. All other terms and conditions remain unchanged.

- a) Clinica Adelante, Inc., updating the compensation section and increasing the contract dollar amount by \$9,801. Total funding for the contract term ending September 30, 2003, will increase from \$10,813 to \$20,614. (C8603072101)
- b) Banner Health System dba Good Samaritan Regional Medical Center, increasing the contract dollar amount by \$11,997. Total funding for the contract term ending September 30, 2003, will increase from \$54,067 to \$66,064. (C8603073101)

AMENDMENTS TO CONTRACTS FOR HIV SERVICES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the following Amendment Nos. 2 to contracts for the provision of HIV services. effective upon Board of Supervisors approval. The Title I Planning Council made original allocations for the Ryan White Title I services based on level funding from the prior year. On August 14, 2003, the Planning Council reallocated Title I funds across the service categories to assure proper and timely utilization of fiscal year (FY) 2003-2004 grant funds. The reallocation of funds was conducted in accordance with the provisions of the Ryan White CARE Act Amendments of 2000 and the bylaws of the HIV Title I Planning Council. These amendments implement the reallocation recommended by the Planning Council. Funding for these contracts is provided by a grant from the federal Health Resources and Services Administration under Title I of the Ryan White CARE Act, and will not affect the county general fund.

- a) Phoenix Shanti Group, Inc., for the provision of HIV behavioral health services, increasing the contract dollar amount by \$25,000, Total funding for the period ending February 29, 2004, will increase from \$36,000 to \$61,000. (C8603700102)
- b) Catholic Social Services of Phoenix, for the provision of HIV behavioral health services, increasing the contract dollar amount by \$6,000. Total funding for the

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- period ending February 29, 2004, will increase from \$12,000 to \$18,000. (C8603701102)
- c) Jewish Family and Children's Service, for the provision of HIV behavioral health services, increasing the contract dollar amount by \$5,000. Total funding for the period ending February 29, 2004, will increase from \$20,000 to \$25,000. (C8603705102)
 - d) AIDS Project Arizona, Inc., for the provision of HIV education services, increasing the contract dollar amount by \$20,000, and replaces the budget narrative and fee schedule. Total funding for the period ending February 29, 2004, will increase from \$168,192 to \$188,192. (C8603709102)
 - e) Body Positive, Inc., for the provision of HIV nutrition services, decreasing the contract dollar amount by \$31,522 and replaces the budget narrative and fee schedule. Total funding for the period ending February 29, 2004, will decrease from \$300,000 to \$268,478. (C8603716102)
 - f) AIDS Project Arizona, Inc., for the provision of HIV targeted outreach (MSM) services, decreasing the contract dollar amount by \$16,410, and replaces the budget narrative and fee schedule. Total funding for the period ending February 29, 2004, will decrease from \$155,000 to \$138,590. (C8603721102)
 - g) Body Positive, Inc., for the provision of HIV wellness services, decreasing the contract dollar amount by \$31,292 and replaces the budget narrative and fee schedule. Total funding for the period ending February 29, 2004, will decrease from \$546,465 to \$515,173. (C8603725102)
 - h) Phoenix Shanti Group, Inc., for the provision of HIV wellness services, increasing the contract dollar amount by \$20,000, and replaces the budget narrative and fee schedule. Total funding for the period ending February 29, 2004, will increase from \$201,535 to \$221,535. (C8603726102)
 - i) AIDS Project Arizona, Inc., for the provision of HIV family support services, decreasing the contract dollar amount by \$14,707, and replaces the budget narrative and fee schedule. Total funding for the period ending February 29, 2004, will decrease from \$50,000 to \$35,293. (C8603729102)

CONTRACT WITH AIDS PROJECT ARIZONA, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve a contract with AIDS Project Arizona, Inc., for the provision of HIV behavioral health services. The term of the contract is retroactive to July 1, 2003, and continues through February 29, 2004, for a contract amount of not-to-exceed \$20,000. (C86037311)

APPOINTMENTS TO CENTRAL ARIZONA RYAN WHITE TITLE I PLANNING COUNCIL

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to appoint the following two members to the Central Arizona Ryan White Title I Planning Council, one for the term ending February 29, 2004, and one for the term ending February 28, 2004. (C86040189) (ADM2153)

<u>Name</u>	<u>Representation Category</u>	<u>Term</u>
• Lisa Utzinger (Replaces Kibby Lemons)	General Public	3/1/02 – 2/29/04
• Keith Hendricks (Increases membership roster)	General Public	3/1/03 – 2/28/05

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Also appoint the following four designated alternates for regular planning council members.

- Sharon Ramirez (for Jean Cox)
- Rick Johns (for Mark Kezios)
- Karen Stuart (for Eric Moore)
- Michael Ruble (for Garry Robinson)

AMENDMENT TO INTERGOVERNMENTAL AGREEMENT WITH ROOSEVELT SCHOOL DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 1 to an Intergovernmental Agreement with the Roosevelt School District to provide school-based tobacco use prevention and education services. The amendment increases the dollar amount by \$2,000, from \$12,000 to \$14,000 for the term ending June 30, 2004. All other terms and conditions remain unchanged. (C8604335201)

INTERGOVERNMENTAL AGREEMENT WITH CAVE CREEK UNIFIED SCHOOL DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement with the Cave Creek Unified School District to provide school-based tobacco use prevention and education services. The term of the contract is from Board approval to June 30, 2004, for a contract dollar amount not-to-exceed \$6,000. (C86043612)

INTERGOVERNMENTAL AGREEMENT WITH U.S. DEPARTMENT OF JUSTICE, DRUG ENFORCEMENT ADMINISTRATION

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an Intergovernmental Agreement with the U.S. Department of Justice, Drug Enforcement Administration for space at the county's Thompson Peak and Mount Ord communications sites. The agreement provides site access, building and tower space, and commercial and backup AC power where available. This agreement is for a period of one year from date of approval, with automatic renewal unless canceled by either party. The estimated annual revenue is \$1,800. (C76040012)

EXPENDITURES AND TRANSFERS

In accordance with ARS §42-17106B, motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the following expenditures and transfers, so that the necessary equipment for new facilities can be ordered:

- a) \$280,000 from Appropriated Fund Balance Detention Fund Reserved Contingency line item New Facility Start-Up to a new line item in Appropriated Fund Balance Other Detention Fund Programs titled: Telecom: Durango Facilities Management. (C76040028) (ADM5300)
- b) \$200,000 from Appropriated Fund Balance Detention Fund Reserved Contingency line item New Facility Start-Up to a new line item in Appropriated Fund Balance Other Detention Fund Programs titled: Telecom: Durango Parks Building. (C76040038) (ADM5300)

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- c) \$13,888 from Appropriated Fund Balance Detention Fund Reserved Contingency line item New Facility Start-Up to a new line item in Appropriated Fund Balance Other Detention Fund Programs titled: Telecom: Residential Treatment Center. (C76040048) (ADM5300)
- d) \$829,731 from Appropriated Fund Balance Detention Fund Reserved Contingency line item New Facility Start-Up to a new line item in Appropriated Fund Balance Other Detention Fund Programs titled: Telecom: Adult Facilities Data Equipment. (C76040058) (ADM5300)
- e) \$328,407 from Appropriated Fund Balance Detention Fund Reserved Contingency line item New Facility Start-Up to a new line item in Appropriated Fund Balance Other Detention Fund Programs titled: Telecom: Mesa Juvenile Court & Detention. (C76040068) (ADM5300)

CHANGE ORDERS TO CONTRACT WITH TARGET GENERAL, INC.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Change Order Nos. 22 and 23 to Contract JE01-02 with Target General, Inc. in the amount of \$222,860 and \$710,466, respectively. This contract is for the construction of the Lower Buckeye Jail Adult Detention Facility. These change orders incorporate various changes required to complete construction and allow occupancy. The increase is within the budget. On February 7, 2001, the Board approved the award of a contract to construct the Lower Buckeye Jail Adult Detention Facility. The contract was awarded for \$98,942,000, and Change Order No. 22 and No. 23 exceed the Capital Facilities Development Department Director's 5% change order authorization approved by the Board on June 10, 2002. (C4001010005)

CHANGE ORDER TO CONTRACT WITH HUNT JACOBS, A JOINT VENTURE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve Change Order No. 1 to Contract CFD02-04 with Hunt Jacobs, A Joint Venture, for Program Management Services to the Maricopa County Capital Improvement Program. This change order, in the amount of \$410,931, is to provide a Superior Courts Master Plan, and is within the program budget. On May 21, 2003, the Board approved the award of Contract CFD02-04 for Program Management Services to Hunt Jacobs, A Joint Venture, for an estimated amount of \$3,000,000. The scope of work was to provide program management services to assist the staff of Maricopa County involving master planning, site acquisition, site preparation, design, construction and materials testing and inspection for the capital improvement program. Five discrete projects were identified at the time of contract award. On July 2, 2003, the Board approved expenditure of \$500,000 to hire a master-planning consultant to develop master plans for both downtown and regional courts. This change order provides for that Courts Master Plan as an added project scope to the Hunt Jacobs contract. (C4003016501)

CONTRACT WITH S.D. CRANE BUILDERS, INC.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to award a construction contract to S.D. Crane Builders, Inc. in the amount of \$69,000 for construction of "Maricopa County Wall of Honor", Project 2002301362, located at plaza level of 201 West Jefferson Street- (Building No. 3305) Phoenix. The project is funded in the FY 2003-2004 Major Maintenance Program Budget, Fund 100, Agency 480, Org, 4832, Object Code 0915.02, Function Class ICCI. (C7004004501)

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CONTRACT WITH FEMCON, INC.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to award a construction contract to FEMCON, Inc. in the amount of \$187,345, for "Durango Jail Infrastructure Improvements, Plumbing Chase Alterations – Phase I", Building No. 1600, Project No. 2002323131, located at 3225 West Gibson Lane, Phoenix. The project is funded in the FY 2003-2004 Major Maintenance Special Revenue budget, Fund 255, Agency 472, Organization 4732, and Object Code 0915.01, Function Class DDJS. On July 30, 2003, the Board authorized the call for bids and award of a contract in an amount not-to-exceed the architect's estimate by 10%. On August 26, 2003; nine contractors submitted sealed competitive bids which all exceeded the architect's estimate of \$154,957 by more than 10%. SSPW Architects has reviewed the bid submitted and qualifications of FEMCON, Inc., the lowest bidder, and recommended that the firm is a responsive and responsible contractor. (C7004005501)

CONTRACT FOR THE STAR CALL CENTER/RESEARCH & REPORTING BUILD OUT

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to authorize the award of Contract No CFD03-03 for the "Star Call Center/Research & Reporting Build Out", Project No. 2002319428, Building No. 3317, located at 701 West Jefferson Street, Phoenix, if the guaranteed maximum price is not more than 10% over the architect's estimate. The project is funded in the FY 2003-2004 Capital Improvement Program Budget, Fund 445, Agency 479, Organization 4713, Object Code 0915.01 and Function Class RRBT. On February 19, 2003 (Agenda C70030338), the Board approved this project. This contract will allow the Star Call Center and Research & Reporting Departments to move out of lease space and to co-locate their current operations into the Forensic Science Center parking structure. The project will house both departments in a total of 13,771 square feet of existing County-owned space located on the south side of the Forensic Science Center parking structure fronting Madison Street. The project will include office space, employee restrooms, break room, storage room, copy room, open area office space with modular furniture, mechanical equipment room, electrical equipment room, and telecommunication equipment room. This is a qualifications based procurement to be conducted in accordance with the Maricopa County Procurement Code, Article 5, Paragraph MC1-504.F Construction Manager at Risk. (C70040145)

FY 2003-2004 MAJOR MAINTENANCE BUDGET REALLOCATIONS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the following FY 2003-2004 Major Maintenance Budget reallocations:

- a) \$164,174 from Project No. 2001224724 Durango Juvenile Probation Building Infrastructure Improvements, Fund 100, Agency 480, Org. 4832, Object Code 0915.01, Function Class DDII.
- b) \$75,826 from Project No. 200232061 Durango Courts Building Infrastructure Building Improvements, Fund 100, Agency 480, Org. 4832, Object Code 0915.01, Function Class DCTB to Project #2002320197 Blue Point Infrastructure Improvements, Fund 100, Agency 480, Org. 4832, Object Code 0915.01, Function Class BPBI.

And also authorize the award of a construction contract for the Blue Point Maricopa County Sheriff's Office Lake Patrol Substation/Aid Station, Projects No. 2002320197 & 2001227020, Building No. 6605, provided that the guaranteed maximum price is not more than 10% over the architect's estimate. The

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project site located at the northeast corner of the Bush Highway and Usery Pass Road. The project is funded in the FY 2003-2004 Major Maintenance Budget, Fund 100, Agency 480, Organization 4832, and Object Code 0915.01, Function Class BPBI and by FY 2003-2004 State Lake Improvement Fund (SLIF) Grant, Fund 251, Agency 501, Org. 5030, Object Code 0915.01. (C70040155) (ADM800)

AMENDMENTS TO CONTRACT WITH HUNT JACOBS, A JOINT VENTURE

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve the following amendments to contract for "Program Management Services" between Maricopa County and Hunt Jacobs, a joint venture, approved by the Board, on May 21, 2003, Agenda C40030165: (C70040168)

- a) Make the effective date of the contract retroactive to April 20, 2003; and
- b) Authorize Facilities Management to provide Hunt Jacobs personnel with office space within County facilities or parking spaces within County garages or lots, as needed, for use by the contractor to facilitate the business needs of the County during the term of this contract.

AMENDMENT TO CONTRACT WITH 3D/INTERNATIONAL

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an amendment to the contract between Maricopa County and 3D/International (3D/I) for "Program Management Services", approved by the Board, on July 30, 2003, Agenda C70040075, retroactively authorizing Facilities Management to provide 3/DI personnel with office space within County facilities and parking spaces within County garages or surface lots, as needed, for use by the contractor to facilitate the business needs of the County during the term of this contract. (C70040170)

ADMINISTRATIVE AMENDMENT TO CONTRACT WITH 3D/INTERNATIONAL

Motion was made by Supervisor Stapley, seconded by Supervisor Wilson, and unanimously carried (5-0) to approve an administrative amendment to the term contract between Maricopa County and 3D/International (3D/I), approved by the Board, on April 16, 2003, Agenda C70030515, making the effective date of the term contract retroactive to April 16, 2003. Approval of this item will correct an administrative error resulting from a clause in the contract that stated that the initiation date for services under this contract was the date the contract was signed by Maricopa County and 3D/International (3D/I), June 16, 2003. Prior to June 16, 2003, and after April 16, 2003, 3D/I had completed and was paid for approximately \$53,000 in services. The clause in this contract was left in error and should have been changed to reflect the BOS approval date as the commencement date for services under the contract. All other terms of this agreement remain unchanged. (C70040188)

EASEMENTS AND RIGHT-OF-WAY DOCUMENTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve easements, right-of-way documents, and relocation assistance for highway and public purposes as authorized by road file resolutions or previous Board of Supervisors action. (ADM2007)

A082.001 Project No: 69010 - Dixileta Drive (171st Avenue - 163rd Avenue) - Easement and
(AC) Agreement for Highway Purposes - Parcel No. 503-51-142A - William M. Bannister and
 Vivian A. Egan - for the sum of \$15,467.00.

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- A082.001 (AC) Project No: 69010 - Dixileta Drive (171st Avenue - 163rd Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 503-51-142A - William M. Bannister and Vivian A. Egan.
- A082.005 (AC) Project No: 69010 - Dixileta Drive (171st Avenue - 163rd Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 503-51-199 - Ted A. Chittenden and Joyce A. Chittenden - for the sum of \$6,151.00.
- A082.005 (AC) Project No: 69010 - Dixileta Drive (171st Avenue - 163rd Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 503-51-199 - Ted A. Chittenden and Joyce A. Chittenden.
- A223.001 (AC) Project No: 69010 - 104th Street (Quarterline Road - EOM) - Easement and Agreement for Highway Purposes - Parcel No. 220-14-034B - David E. Hall and Darlene L. Hall - for the sum of \$13,160.00.
- A223.001 (AC) Project No: 69010 - 104th Street (Quarterline Road - EOM) - Purchase Agreement and Escrow Instructions - Parcel No. 220-14-034B - David E. Hall and Darlene L. Hall.
- A267.004 (AC) Project No: 68949 - McQueen Road (Queen Creek Road to Pecos Road) - Warranty Deed - Parcel No. 303-32-008E - Earl C. Jarman and Jill A. Jarman, Trustees and Kelly R. Jarman and Joanne Jarman - for the sum of \$27,580.00.
- A267.004-1 (AC) Project No: 68949 - McQueen Road (Queen Creek Road to Pecos Road) - Temporary Construction Easement and Agreement for Highway Purposes - Parcel No. 303-32-008E - Earl C. Jarman and Jill A. Jarman, Trustees and Kelly R. Jarman and Joanne Jarman - for the sum of \$100.00.
- A267.004 (AC) Project No: 68949 - McQueen Road (Queen Creek Road to Pecos Road) - Purchase Agreement and Escrow Instructions - Parcel No. 303-32-008E - Earl C. Jarman and Jill A. Jarman, Trustees and Kelly R. Jarman and Joanne Jarman.
- A267.006 (AC) Project No: 68949 - McQueen Road (Queen Creek Road to Pecos Road) - Warranty Deed - Parcel No. 303-32-007E - D'Wayne Sherwood, trustee - for the sum of \$28,080.00.
- A267.006 (AC) Project No: 68949 - McQueen Road (Queen Creek Road to Pecos Road) - Purchase Agreement and Escrow Instructions - Parcel No. 303-32-007E - D'Wayne Sherwood, trustee.
- A267.006 (AC) Project No: 68949 - McQueen Road (Queen Creek - Pecos Road) - Letter Agreement for a Temporary Ingress and Egress Permit - Parcel No. 303-32-007E - D'Wayne Sherwood, trustee - for the sum of \$100.00.
- A275.004 (AC) Project No: 69010 - 15th Avenue (Irvine Road - Desert Hills Drive) - Easement and Agreement for Highway Purposes - Parcel No. 211-50-028C - Paul Nicholson and Marilyn Nicholson - for the sum of \$22,523.00.
- A275.004 (AC) Project No: 69010 - 15th Avenue (Irvine Road - Desert Hills Drive) - Purchase Agreement and Escrow Instructions - Parcel No. 211-50-028C - Paul Nicholson and

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Marilyn Nicholson.

- A288.002
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 211-51-009E - Ken Kramer and Constance Lori Krizan - for the sum of \$13,373.00.
- A288.002
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 211-51-009E - Ken Kramer and Constance Lori Krizan - three (3) copies enclosed for signature.
- A288.003
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 211-51-009A - Nancy B. Rosinski and Mary R. Robson, as trustee - for the sum of \$15,155.00.
- A288.003
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 211-51-009A - Nancy B. Rosinski and Mary R. Robson, as trustee.
- A288.005
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 211-51-048B - Mary R. Robson, as trustee - for the sum of \$15,155.00.
- A288.005
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 211-51-048B - Mary R. Robson, as trustee.
- A288.010
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 211-51-053G - William W. Shettel and Dixie L. Shettel - for the sum of \$9,092.00.
- A288.010
(AC) Project No: 69010 - Maddock Road (17th Avenue -11th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 211-51-053G - William W. Shettel and Dixie L. Shettel.
- A288.011
(AC) Project No: 69010 - Maddock Road (17th Avenue - 11th Avenue) - Easement and Agreement for Highway Purposes - Parcel No. 211-51-052J - Molly Hardy McGirr - for the sum of \$1,260.00.
- A288.011
(AC) Project No: 69010 - Maddock Road (17th Avenue - 11th Avenue) - Purchase Agreement and Escrow Instructions - Parcel No. 211-51-052J - Molly Hardy McGirr.
- X-0500
(CS) Project No: 68927 - Ellsworth Road (Germann to Baseline) - Warranty Deed - Parcel No. 304-62-007D & 007F - E G 160 General Partnership, an Arizona General Partnership - for the sum of \$118,200.00.
- X-0500
(CS) Project No: 68927 - Ellsworth Road (Germann to Baseline) - Purchase Agreement and Escrow Instructions - Parcel No. 304-62-007D & 007F - E G 160 General Partnership, an Arizona General Partnership.
- X-1556
(AC) Project No: 68927 - Ellsworth Road (Germann Road - Guadalupe Road) - Warranty Deed - Parcel No. 304-31-010A - Anthony Mormino, Francine Mormino Coleman and

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Anthony J. Mormino II, as Co-trustees - for the sum of \$6,140.00.

X-1556 Project No: 68927 - Ellsworth Road (Germann Road - Guadalupe Road) - Purchase
(AC) Agreement and Escrow Instructions - Parcel No. 304-31-010A - Anthony Mormino,
Francine Mormino Coleman and Anthony J. Mormino II, as Co-trustees.

ROAD ABANDONMENT (ROAD FILE NO. 5219)

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) that the following resolution be adopted: (C64040877)

WHEREAS, pursuant to A.R.S. §28-6701 and 28-7202 et seq., it appears to the Board that the abandonment of the following-described property may be effected without damage to the public or adjacent landowners:

The north 30 feet of the west one-half of the east one-half of the southwest one-quarter of the northeast one-quarter of Section 22, Township 1 North, Range 7 East, of the Gila and Salt River Base and Meridian, Maricopa County, Arizona, within the general vicinity of University Drive and Crismon Road.

WHEREAS, the Board believing that the granting of said petition requesting abandonment is in the best interests of Maricopa County; and

WHEREAS, the County Engineer of Maricopa County, Arizona, has recommended the abandonment be approved;

NOW, THEREFORE, IT IS ORDERED that the above-described property be abandoned, subject to existing easements if any, and no rights or privileges to public utilities are affected by this abandonment, and the County Engineer is hereby directed to make a plat of the survey of same and cause it to be recorded in the Office of the County Recorder of Maricopa County as provided by law.

DATED this 24th day of September 2003.

CHANGE ORDER TO CONTRACT WITH EARTH TECH, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Change Order No. 4 to Contract No. CY 1997-16 in the amount of \$135,639 with Earth Tech, Inc. for the design of Ellsworth Road, University Drive to McLellan Road, Work Order No. 68902, Project T-062. This change order will increase the total contract amount by \$135,639 for a revised contract amount of \$543,348. This change order compensates the consultant for design services related to additional work not included in the original contract scope. The current 90% design documents will be revised to implement the project in two phases, so that design and construction of roadway segments adjacent to planned commercial developments can be expedited as part of phase one. McDOT and the City of Mesa will jointly fund approximately 2/3's of the change order amount, or \$90,000, \$45,000 each. Collectively, the developers will fund the remainder, or \$45,639. The developers' share is based on costs associated with expediting the phase-one design schedule, as well as design of their offsite improvements. Upon approval of this change order, the developers agree to pay, in full, their share within 30-days of receipt of an invoice from McDOT. (C6497230504)

AMENDMENT TO CONTRACT WITH AZTEC ENGINEERING

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 1 to On Call Candidate Assessment Reports and Design Concept Reports, Contract No. CY 2003-07, with AZTEC Engineering; which will extend the performance period of the contract by one year through June 30, 2004; it is also requested that the contract amount be increased in an amount not-to-exceed \$100,000 for a new revised contract amount of \$200,000. (C6402294501)

AMENDMENT TO CONTRACT WITH PBS&J

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Amendment No. 1 to On Call Intelligent Transportation Systems Advanced Traveler Information Services, Contract No. CY 2003-13, with PBS&J; which will extend the performance period of the contract by one year through June 30, 2004; it is also requested that the contract amount be increased in an amount not-to-exceed \$125,000 for a new revised contract amount of \$250,000. (C6403011502)

RESOLUTION – APPLICATION TO GOVERNOR’S OFFICE OF HIGHWAY SAFETY GRANT FUNDING

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to adopt Resolution MCDOT 03-04 authorizing an application to the Governor's Office of Highway Safety grant funding pertaining to the submission of projects for consideration in Arizona's 2004 Highway Safety Plan. The total amount of funds requested from the Governor's Office is \$99,000. The grant funds may not be expended for indirect costs. Indirect cost rate at 25%. The non-recoverable indirect cost of administering this grant is \$24,750.00. Additionally, approval is sought to accept grant funding and approve an increase to MCDOT's FY 2003-2004 grant revenue and expenditure budget by \$99,000. Grant revenues are not "local revenues" for the purpose of the constitutional expenditure limitation, and therefore the budget law does not prohibit expenditure of the funds. This budget adjustment does not alter the budget constraining the expenditure of local revenues duly adopted by the Board pursuant to ARS §42-17105. (C64040673)

CONTRACT WITH CK ENGINEERING, INC.

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Contract No. CY 2004-35 with CK Engineering, Inc. for On Call Traffic Engineering services in an amount not-to-exceed \$150,000 during the contract performance period. The contract shall be in effect from the date of execution through September 30, 2004, with an option to renew for an additional one-year period. (C64040695)

CONTRACT WITH CARTER & BURGESS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Contract No. CY 2004-36 with Carter & Burgess for On Call Traffic Engineering services in an amount not-to-exceed \$150,000 during the contract performance period. The contract shall be in effect from the date of execution through September 30, 2004, with an option to renew for an additional one-year period. (C64040705)

CONTRACT WITH AZTEC ENGINEERING

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve Contract No. CY 2004-37 with AZTEC Engineering for On Call Traffic Engineering services in an amount not-to-exceed \$150,000 during the contract performance period. The contract shall be in

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effect from the date of Board approval through September 30, 2004, with an option to renew for an additional one-year period. (C64040715)

INTERGOVERNMENTAL AGREEMENT WITH 20TH STREET IMPROVEMENT DISTRICT

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve an Intergovernmental Agreement (IGA) between Maricopa County and the 20th Street Improvement District for improvement to 20th Street, north of Circle Mountain Road whereupon the County will be the lead agency for upgrade and construction of the road improvements. The County will invoice the District the estimated project cost not-to-exceed \$108,500, and accept repayment from the District in ten equal payments over a period of ten years at a rate of 8% simple interest on the unpaid balance. Funds are budgeted in FY 2003-2004 McDOT PM10 Operations Repair budget, Work Order No. 22380131. McDOT agrees to charge the 20th Street Improvement District for direct labor and material costs, and upon completion of the upgrades, construction, and determination that the streets were constructed to County standards, declare the roadway a county highway and accept future maintenance of the streets. (C64040722)

INTERGOVERNMENTAL AGREEMENT WITH CITY OF PEORIA

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the Intergovernmental Agreement between Maricopa County and the City of Peoria for Emergency Traffic Management Mutual Aid. The agreement allows for the exchange of services or reimbursement for services provided. The agreement shall be effective as of the date it is filed with the County Recorder and remain in full force and effect, except that it may be amended upon written agreement by all parties. Either party may terminate this agreement upon furnishing the other party with written notice at least 30-days prior to the effective date. (Supervisorial District No. 4) (C64040742)

ANNEXATION OF COUNTY RIGHT-OF-WAY BY THE TOWN OF AVONDALE

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the annexation by the Town of Avondale of County right-of-way within the East 33' of 107th Avenue from 58' North of Van Buren Street Centerline, North approximately 5,214', together with the South 33' of Van Buren Street from 107th Avenue Centerline East 5,235', together with the North 33' of Van Buren Street from 33' west of 107th Avenue, Centerline East approximately 5,280', in accordance with Town Ordinance No. 951-03. (C64040775) (ADM4201)

CALL FOR BIDS AND AWARD – McDOT'S SLURRY SEAL PROJECT, FALL 2003

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the solicitation of bids for McDOT's Slurry Seal Project, Fall 2003, Work Order No. 30050013, and award of a contract to the lowest responsive responsible bidder, providing the lowest responsive responsible bidder does not exceed the engineer's estimate by more than 10%. (C64040805)

MARICOPA INTEGRATED HEALTH SYSTEMS PERSONNEL AGENDA

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Maricopa Integrated Health Systems Personnel Agenda (Exhibit F). (List on file in the Clerk of the Board's Office.)

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AMENDMENT TO REVENUE CONTRACT WITH ARIZONA HEALTH CARE COST CONTAINMENT SYSTEM (AHCCCS)

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to retroactively approve Amendments No. 13 and 14 to the revenue contract with Arizona Health Care Cost Containment System (AHCCCS) (Contract No. YH00-0023-02) for EDP Long Term Care Services.

Amendment No. 13:

- a) extends the contract through September 30, 2004,
- b) restates the contract, and
- c) revises capitation rates for the contract period.

Amendment No. 14:

- a) restates the extension of the contract,
- b) changes and replaces contract language, and
- c) reaffirms acceptance by MIHS of the contract terms and agreement to continue to perform for an additional year.

This contract was initially approved by the Board on June 21, 2000, (C6000289M01) with an initial contract term of 3 years (October 1, 2000, through September 30, 2003) and is renewable annually by AHCCCSA for two additional annual terms with an anticipated annual revenue of \$232,320,277. (C6000289M08)

AMENDMENT TO HOSPITAL POOL OF FUNDS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 2 to extend the term of the not-to-exceed pool of funds for hospital services from October 1, 2003, through September 30, 2004, making the aggregate term of the pool January 1, 2002, through September 30, 2004. The hospital not-to-exceed pool amount remains \$121,636,000. (C6002067102)

AMENDMENT TO NURSING FACILITY SERVICES CONTRACTS POOL OF FUNDS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve Amendment No. 1 for the purpose of increasing the not-to-exceed amount by \$28,384,058 from \$594,150,510, to a new aggregate not-to-exceed pool of \$622,534,568. This pool funds Nursing Facility Services Contracts for Maricopa Integrated Health System-Health Plan (MIHS-HP) Members. Also, this amendment will extend the pool for one year, October 1, 2003, through September 30, 2004. All individual nursing facility contracts included in the above pool will be extended via article 13 amendments. (C6003454101)

ESTABLISH POOL OF FUNDS FOR INTERMEDIATE LEVEL BEHAVIORAL HEALTH GROUP HOME SERVICES

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to establish a pool of funds for Intermediate Level Behavioral Health Group Home services for an amount not-to-exceed \$18,301,318 effective upon Board approval through November 30, 2005. (C60040881)

CONTRACT WITH FSL PATHWAYS

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Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a contract with FSL Pathways for Behavioral Health Intermediate Level Group Home Services, effective upon Board approval through November 30, 2005. The proposed Not-to-exceed amount is a percentage of the pool amount for all Behavioral Health Intermediate Level Group Home Services, which is \$18,301,318 (Agenda C60040881). The contract may be extended for up to a total term of five years and may be terminated with 90-days written notice by either party. (C60040811)

CONTRACT WITH DEVELOPMENTAL BEHAVIORAL CONSULTANTS

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a contract with Developmental Behavioral Consultants (DBC) for Behavioral Health Intermediate Level Group Home Services, effective upon Board approval through November 30, 2005. The proposed not-to-exceed amount is a percentage of the pool amount for all Behavioral Health Intermediate Level Group Home Services, which is \$18,301,318 (Agenda C60040881). The contract may be extended for up to a total term of five years and may be terminated with 90-days written notice by either party. (C60040841)

CONTRACT WITH CHADDOCK

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new contract with Chaddock for the provision of Integrative Attachment Therapy Services. The term of the contract is upon Board approval through December 31, 2004. The rate is \$423 per day for an amount not-to-exceed \$218,500. The contract can be terminated with 90-days notice without cause and can be extended to a maximum of five years. (C60040911)

LEASE WITH PRESSON ADVISORY, LLC

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to approve a new lease, L7340, with Presson Advisory, L.L.C. for 34,142 square feet of space at the Airport Office Park (AOP) complex located at 2502 and 2516 East University Drive in Phoenix. The lease will be effective October 1, 2003, through September 30, 2006, and may be renewed for one additional year. This site will continue to house staff members of the MIHS Health Plans. The lease rate is \$14.50 per square foot for the first year, \$14.86 the second year and \$15.23 the third year. The lease may be terminated upon 120-days prior written notice. (C60040924)

RESIGNATION OF BOB BECKLEY FROM THE PLANNING AND ZONING COMMISSION

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the resignation of Bob Beckley as a member of the Planning and Zoning Commission, effective October 8, 2003. (ADM3415)

RE-APPOINT BILL CLAYBURG TO THE PLANNING AND ZONING COMMISSION

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to re-appoint Bill Clayburg to the Planning and Zoning Commission, as the District 4 nominee. The term of the appointment will be from the date of Board approval through October 31, 2007. (C06040149) (ADM3415)

HEARING SET – CODE ENFORCEMENT REVIEW – ROBERT AND CYNTHIA MCPETERS

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to determine if oral argument will be permitted in the review of the Hearing Officer's Order of Judgement in Zoning Code Violation Case No. 2001-00868, Robert and Cynthia McPeters and schedule a public hearing for 9:00 a.m., Wednesday, October 8, 2003. (ADM3417-021)

HEARING SET – JUSTICE COURTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a public hearing for 9:00 a.m., Wednesday, October 22, 2003, in accordance with ARS §11-251.08, to authorize implementation of a Justice Courts Case Management Fee of \$10 in Justice Courts small claims, forcible detainer and civil actions to be assessed upon the plaintiff at the time of initial case filing, effective November 1, 2003. The Justice Courts Case Management Fee will not apply to cases referenced in ARS §22-282(B) (in which money judgment only is sought and the amount sought does not exceed \$50.) (C24040027) (ADM1005)

HEARING SET – ROAD FILE DECLARATION

Petition has been filed for declaration of the following road into the County highway system. Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to set a hearing 9:00 a.m., Wednesday, October 22, 2003:

Road File A223: General vicinity of 104th Street from University Drive to Quarterline Road. (C64040685)

Road File 5287: General vicinity of Bethany Home Road and Citrus Road. (C64040887)

Road File 5288: General vicinity of Gavilan Peak Parkway and Daisy Mountain Drive. (C64040897)

Road File 5289: General vicinity of Anthem Way and Gavilan Peak Parkway. (C64040907)

HEARING SCHEDULED - PLANNING AND ZONING CASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to schedule a public hearing on any Planning, Zoning and Building Code cases in the unincorporated areas of Maricopa County for (meeting date), 2003, at 9:00 a.m. in the Board of Supervisors Auditorium, as follows:

Z2002-128; Z2003-038; Z2003-039; Z2003-062

MINUTES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve minutes of the Board of Supervisors meetings held July 30, and August 13, 2003.

PRECINCT COMMITTEEMEN

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize the appointment and cancellation of appointment of Precinct Committeemen. (ADM1701)

2004 NACO ANNUAL CONFERENCE CONTRIBUTIONS

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize the acceptance of cash and in-kind contributions generated for the 2004 NACo Annual Conference through corporate sponsorships and donations. These contributions will support the expenses associated with Maricopa County's responsibilities as the July 2004 conference host. Itemized listing of commitments and donations received will be on file in the Office of the Clerk of the Board of Supervisors. (C2003015M) (ADM652)

Date Received	Donor	Amount
7/29/2003	Greenlee County	\$ 500.00
9/9/2003	Apache County	\$1,500.00

2004 COMBINED CHARITABLE CAMPAIGN CONTRIBUTIONS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to authorize the acceptance of cash and in-kind contributions generated for the 2004 Combined Charitable Campaign through corporate sponsorships and donations. These contributions will support the expenses associated with the Maricopa County 2004 Combined Charitable Campaign and will also be used as incentives to encourage employee participation. Itemized listings of commitments and donations received will be on file in the office of the Clerk of the Board. (C88040107) (ADM3311-002)

<u>Company Name/Business</u>	<u>Items Donated Quantity/Description</u>
Red Lobster	\$30 Gift Certificate
Texas Roadhouse	\$20 Gift Certificate
McDuffy's	\$20 Gift Certificate
Pei Wei	\$20 Gift Certificate
Olive Garden	\$20 Gift Certificate
Applebees	2 Free Entrees
L'Auberge de Sedona	2 night stay at resort orchard and 1 night stay at lodge
Los Abrigados Resort & Spa	1, one night stays at resort
Arizona Theatre Company	Pair of tickets to "Over the Moon" valid 10/09-10/26
Phx Art Museum	4 Guest Admissions cards
Valley Youth Theatre	4 ticket to Pinocchio

SECURED TAX ROLLS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve requests from the Assessor for corrections of the Secured Tax Rolls. (ADM705)

Tax Roll	From	To	Net Result
2000	10858	10866	-\$4,675.30
2000	10867	10872	-\$1,542.82
2001	36317	36330	-\$7,196.54
2001	33495	33495	-\$2,364.60
2001	36331	36345	-\$22,232.86
2002	11340	11444	-\$371,659.52
2003	33532	33532	-\$1,404.57

REQUESTS FOR TAX ABATEMENTS FROM THE TREASURER'S OFFICE

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Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve requests for tax abatements from the Treasurer's Office in accordance with the report on file in the Office of the Clerk of the Board of Supervisors. (ADM708)

Parcel #	Year	Proposed Abatement
211-12-706-1	1998	\$618.99
211-12-706-1	1999	\$889.98
211-12-706-1	2000	\$1,064.87
211-12-706-1	2001	\$1,315.64
211-12-706-1	2002	\$1,161.04
211-12-706-1	2003	\$1,039.26
211-12-142E	1997	\$752.84
504-21-034C	2003	\$5,559.52
216-75-010E	1999	\$1,718.67
216-75-010F	1999	\$1,745.11
112-40-077	1998	\$2,805.70
112-40-077	1999	\$2,473.13
214-11-016A	1988	\$856.37
214-11-016A	1989	\$948.72
214-11-016A	1990	\$907.89
214-11-016A	1991	\$834.31
214-11-016A	1992	\$726.87
214-11-016A	1993	\$774.50
214-11-016A	1994	\$855.67
208-14-825B	1994	\$91.82
208-14-825B	1995	\$63.19
208-14-825B	1996	\$58.49
208-14-825B	1997	\$52.81
208-14-825B	1998	\$47.19
208-14-825B	1999	\$870.56
208-14-825B	2000	\$962.51
208-14-825B	2001	\$1,862.32
208-14-825B	2002	\$1,568.34
208-14-850B	1994	\$79.93
208-14-850B	1995	\$71.99
208-14-850B	1996	\$72.45
208-14-850B	1997	\$67.20
208-14-850B	1998	\$60.04
208-14-850B	1999	\$5,089.87
208-14-850B	2000	\$5,231.28
208-14-850B	2001	\$5,227.76
208-14-850B	2002	\$5,019.57
208-14-832B	1994	\$419.95
208-14-832B	1995	\$442.81
208-14-832B	1996	\$369.33
208-14-832B	1997	\$358.40
208-14-832B	1998	\$326.97
208-14-832B	1999	\$393.33
208-14-832B	2000	\$446.55
208-14-832B	2001	\$760.30

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208-14-832B

2002

\$626.44

DUPLICATE WARRANTS

Necessary affidavits having been filed pursuant to A.R.S. §11-632, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the issuance of duplicate warrants to replace county warrants and school warrants which were either lost or stolen. (ADM1823) (ADM3809)

COUNTY

NAME	WARRANT	FUND	AMOUNT
Don Howell	3-3-0554457	Expense	\$5,483.54
Lauriane R Litzau	340500955	Expense	\$180.00

SCHOOL

NAME	SCHOOL	WARRANT	AMOUNT
Chanora Young	Wickenburg Unified SD #9	440009054	\$244.44
Carrier Company	Agua Fria Union High SD	44-0010565	\$1,058.11
Alfredo M Molina	Agua Fria Union High SD	14-0025384	\$405.66
Unifirst Corp	Queen Creek Unified SD #95	95525633	\$64.50
Unifirst Corp	Queen Creek Unified SD #95	95535447	\$259.09
Thomas Bennett	Alhambra SD	14-0014194	\$455.73
Betty Thompson	Roosevelt SD #66	440024538	\$133.88

STALE DATED WARRANTS

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to find that claims presented pursuant to A.R.S. §11-644 are legitimate and that claimants have demonstrated good and sufficient reason for failure to present the original check or warrant within the allotted time. Accordingly, the claims are allowed. (ADM1816)

NAME	AMOUNT
Brian Seaman	\$2,655.42
Brian Seaman	\$2,169.41
George D Croll, Violet B Croll	\$60.31
Guishard, Wilburn & Shorts	\$3,858.57
Patti Madden	\$219.46

TAX CASES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the settlement of tax cases, list dated September 24, 2003. (ADM704)

2002	2003/2004
TX 01-000462	ST 02-000274
2003	ST 03-000049
ST 03-000011	TX 02-000417

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ST 02-000292
TX 02-000510
TX 02-000512
TX 03-000051
TX 03-000106

TX 02-000595
2004
TX 03-000217

CLASSIFICATION CHANGES

Pursuant to A.R.S. §42-12054, motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to approve the Assessor's recommendation that the Board change classification and/or reduce the valuation of certain properties which are now owner occupied. (ADM723)

PARCEL NO.	YEAR	OWNER	FROM	TO
102-48-078	2001	Mary Black	LC/4	LC/3
102-48-078	2002	Mary Black	LC/4	LC/3
102-48-078	2003	Mary Black	LC/4	LC/3
111-06-015	2003	Atanasio, Mich	LC/4	LC/6
111-09-034	2002	Baca, James	LC/4	LC/6
111-09-034	2003	Baca, James	LC/4	LC/6
112-24-140	2001	Rosa Armenta	LC/4	LC/3
112-24-140	2002	Rosa Armenta	LC/4	LC/3
112-24-140	2003	Rosa Armenta	LC/4	LC/3
117-01-076	2001	Mildred Maas	LC/4	LC/3
117-01-076	2002	Mildred Maas	LC/4	LC/3
117-01-076	2003	Mildred Maas	LC/4	LC/3
117-26-100	2003	Dillion, Steve	LC/3	LC/6
121-16-043	2001	Theodor Berrelleza	LC/4	LC/3
121-16-043	2002	Theodor Berrelleza	LC/4	LC/3
121-16-043	2003	Theodor Berrelleza	LC/4	LC/3
135-33-292	2001	Michael Yakerson	LC/4	LC/3
135-33-292	2002	Michael Yakerson	LC/4	LC/3
135-33-292	2003	Michael Yakerson	LC/4	LC/3
149-32-602	2001	Kathleen McGovern	LC/4	LC/3
149-32-602	2002	Kathleen McGovern	LC/4	LC/3
217-65-201	2001	Eugene Fife	LC/4	LC/3
217-65-201	2002	Eugene Fife	LC/4	LC/3
217-65-201	2003	Eugene Fife	LC/4	LC/3
218-55-433	2003	Susan Skepper	LC/4	LC/3
231-03-614	2003	Robert Schmitz	LC/4	LC/3
504-22-220	2001	Earle Mc Rae	LC/4	LC/3
504-22-220	2002	Earle Mc Rae	LC/4	LC/3
504-22-220	2003	Earle Mc Rae	LC/4	LC/3

COMPROMISES

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the requested compromises as payment in full for the following cases: (Discussed in Executive Session held September 8, 2003.) (ADM407)

Patsy Acuna	\$1,200.00	Andres Alvarado	\$3,277.58
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Destiny Barron-Balderrama	4,703.00	Matilde Canales	4,000.00
Jesus Castaneda	1,500.00	Cindy Colvin	243.46
Damon Faulk	3,999.00	Heather Floyd	3,460.00
Guzmaro Gomez	1,775.00	Christian Hernandez	660.50
Maria Lerma	700.00	Susan Kay Lewis	15,000.00
Joseph Loisel	355.00	Ryan Miller	2,000.00
DeShaun Taylor	2,600.00	Maclovia Zepeda	2,962.00

WRITE-OFF

Motion was made by Supervisor Wilcox, seconded by Supervisor Stapley, and unanimously carried (5-0) to accept the requested write-off as payment in full for the following: (Discussed in Executive Session held September 8, 2003.) (ADM407)

Maurice R. Caron	\$1,336.26	Jacquelyn Madrid	\$1,183.23
George Stewart	1,759.90	Everett Williams	5,017.57
Miguel Uriarte Beltran	20.00	William Hannah	1,420.00
Rudy Garcia Lugo	12.00	Lawrence McNett	512.00
Cono MacChiarol	2,112.00	Carolso Edward Montano	840.00
Angela Rojas	297.00	Michael B. Solnick	3,200.00
Carolyn Souliotis	90.00	Nicholas R. Stofer	2,020.00
Jerry James Whitley	200.00	William Bennett Zaleski	20.00

\$5,000 CONTRIBUTION TO DECLARATION OF INDEPENDENCE ROAD TRIP

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to authorize the expenditure of \$5,000 contribution to the Declaration of Independence Road Trip to cover costs associated with the public viewing of the document. An original copy of the Declaration of Independence is on a three and a half year journey across the United States and will soon be in Phoenix. An exhibit built around an original "Dunlap Broadside" copy of the Declaration will be on display at the Arizona Capitol Museum from October 4 – 12, 2003. The exhibit will include educational videos, voter registration, and tours of the Declaration of Independence. Also, in accordance with ARS §42-17106B, approve the transfer of \$5,000 in expenditure appropriation from Appropriated Fund Balance (480) General Fund (Fund 100) General Contingency (4811) to a new program in Appropriated Fund Balance (480) General Fund (Fund 100) Other Programs (4812) entitled "Declaration of Independence Road Trip" to fund this exhibit. (Addendum item A-1.) (ADM600)

COUNTY ADMINISTRATIVE OFFICER, COUNTY ADMINISTRATIVE OFFICE

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve, in substantially the form provided upon approval of the final form of the Agreement by County Counsel, a contract (Space Agreement) to be executed by the National Association of Counties (NACO), the City of Phoenix (on behalf of the Phoenix Civic Plaza) and Maricopa County for \$19,050 for use of the Phoenix Convention Center during the 2004 NACO Annual Conference to be held in July 2004 and hosted by Maricopa County. (Addendum Item A-2.) (C20040051)

FULL SERVICE LEASE WITH PRESSON ADVISORY L. L. C.

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve and execute new full service Lease No. L7341 with Presson Advisory, L.L.C., Lessor for 3,362

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square feet of office space located at Airport Office Park, 2516 East University Drive, First Floor, Building C, Phoenix, AZ. The term of the lease shall commence on the 1st day of October, 2003 and terminate on the 31st day March, 2004 with provisions to "hold-over" for six (6) months, with no addition to the monthly fee. Lessee shall pay a monthly fee of \$4,342.58, or \$26,055.50 for the six-month lease term. This agreement contains a 120-day termination clause, and the use of three (3) covered parking spaces. (Addendum item A-3.) (C39040044)

MATERIALS MANAGEMENT, SOLICITATION SERIALS

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to recommendation the following for Sole Source approvals:

- A sole source procurement for the purchase and installation of two (2) Model Q-Rad-DS 4 X-Ray units for Maricopa County Correctional Health Services (CHS). This equipment has an adjustable height X-Ray table with a 650 pound weight capacity. This unit will allow CHS to provide all inmates in-house X-Ray services, thus eliminating the need to transport inmates to outside facilities. Value of this sole source procurement will not exceed \$130,000.00. This request has been formally advertised in accordance with the Maricopa County Procurement Code and no other suppliers have demonstrated a capability to provide "like" equipment. (C73041041)
 - Comp-Ray, Inc.
- An Intergovernmental Cooperative Purchasing Agreement with Saddle Mountain Unified School District. (C73041032)

PUBLIC COMMENT

No member of the public came forward to comment at the Chairman's call. (ADM605)

SUPERVISORS'/COUNTY ADMINISTRATIVE OFFICER SUMMARY OF CURRENT EVENTS

Supervisor Wilcox extended her condolences to Congressman Ed Pastor whose father recently passed away. She also commented on the theory of making roofs and roads of a material that is light in color to alleviate excess heat in the summer and asked MCDOT and the Flood Control District to investigate this possibility. (ADM606)

Supervisor Kunasek said that Bob Stark, a former Supervisor serving on the Board from 1968 to 1976, recently passed away.

Chairman Brock reported that next summer the County will host the national NACo (National Association of Counties) convention in Phoenix and it will be a very big event, especially in the "dry heat" of Phoenix in July.

Supervisor Wilson commented on the work being done on behalf of the future transportation in the Valley and for this region by those serving to construct the RTP (Regional Transportation Plan) for the Maricopa Association of Governments (MAG). He said that planning transportation needs for the next 20 years has taken foresight, perseverance and concessions from all the members. He said he hoped the public would recognize this and give their support to the final plan if they feel it is a good one.

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PLANNING AND ZONING

David Smith and Paul Golab left the dais at the end of this portion of the Board meeting. All Board Members remained in session. Joy Rich, Chief Regional Development Services Officer, Darren Gerard, Deputy Planning and Development Director, and Terry Eckhardt, County Counsel, came forward to present the following Planning and Zoning cases. Votes of the Members will be recorded as follows: (aye-no-absent-abstain).

CONSENT AGENDA DETAIL:

1. **S2002-074 District 2**
 Applicant: Rio Verde Services, Inc.
 Location: Northeast corner of Eagle Nest Dr. & Granite Mountain Rd. (Rio Verde area)
 Request: Final Plat in the R-3 R.U.P.D. zoning district for Tonto Verde Unit Nine
 (approximately 16.34 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

2. **S2002-075 District 2**
 Applicant: Rio Verde Services, Inc.
 Location: Southeast of Rio Verde Dr. & Forest Rd. (Rio Verde area)
 Request: Final Plat in the R-3 R.U.P.D. zoning district for Tonto Verde Unit Ten
 (approximately 10.42 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this final plat.

3. **S2003-030 District 2**
 Applicant: Red Hawk Engineering
 Location: Southwest corner of McDowell Rd. & Meridian Rd. (in the north Mesa area)
 Request: Re-Plat in the Rural-43 zoning district for Tonto Forest Estates, LLC
 (approximately 50 gross acres)

Motion was made by Supervisor Wilcox, seconded by Supervisor Kunasek, and unanimously carried (5-0) to approve this re-plat.

REGULAR AGENDA DETAIL:

4. **Z 99-78 District 2** (This case continued from meeting of July 30, 2003.) - **CONTINUED**
 Applicant: Beus Gilbert P.L.L.C. for Savannah Partners
 Location: Southwest corner of Lone Mountain Rd. & 152nd St. (in the Rio Verde area)
 Request: Re-hearing to determine compliance with approved Special Use Permit (S.U.P.)
 stipulations for a horse riding and boarding stable in the Rural-190 zoning district
 – Casa de los Caballos (20 ac.)

COMMISSION ACTION: Commissioner Barney moved to recommend approval of Z 99-78, subject to stipulations “a” through “o”, with the following revisions to “c” and “e” and with new stipulation “o”. Commissioner Smith seconded the motion, which passed with a unanimous vote of 8-0.

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- c. All refuse and animal wastes shall be stored within an enclosed building or within odor-proof closed containers. Prior to the issuance of building permits the applicant shall submit evidence that containers have been provided for adequate storage of one weeks accumulation of manure. All manure shall be removed from the site at least once per week. Manure shall not be composted on site, used on trails or rolled in arenas.
- e. No riding events, outside of typical lesson activities or clinics, shall be allowed on-site. Spectators at clinics or lessons shall be limited to 50. The applicant shall be prohibited from making application for an amendment to this Special Use Permit to allow horse shows and events for at least five years from the date of approval of this modified stipulation. No events shall be held on site.
- o. The applicant shall remove existing temporary horse stalls and limit the number of stalls for commercial boarding to 50.

Motion was made by Supervisor Stapley, seconded by Supervisor Wilcox, and unanimously carried (5-0) to continue this item to the October 22nd meeting.

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Fulton Brock, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board